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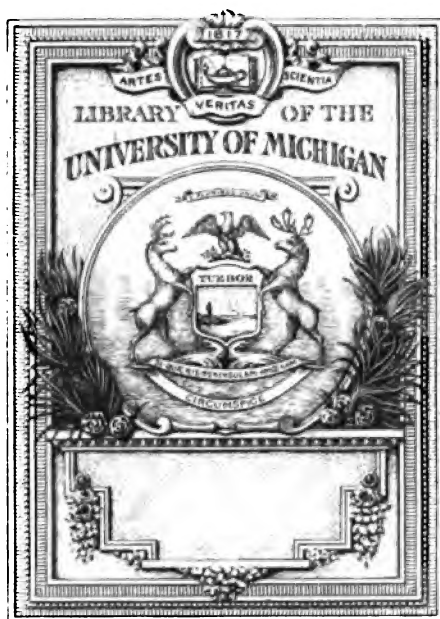
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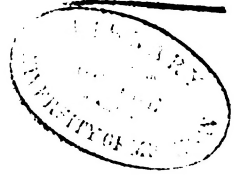








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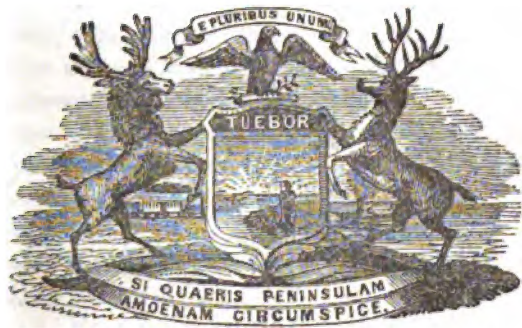


**JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES**  
**OF THE**  
**STATE OF MICHIGAN.**

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1849.

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Printed by virtue of an act of the Legislature, under the supervision of  
**A. W. HOVEY,**  
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**1849.**



# HOUSE JOURNAL.

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*Monday, January 1, 1849.*

This being the day designated by the constitution for the meeting of the legislature, and the Representatives having assembled at the capitol, they were called to order by Hon. Daniel H. Deming, of Lenawee, on whose motion, Hon. Charles M. O'Malley, of Mackinac, was unanimously chosen Speaker *pro tempore*.

On motion of Hon. John N. Ingersoll, of Chippewa,

Augustine W. Hovey, was unanimously appointed Clerk *pro tempore*.

Hon. George B. Turner, of Cass, moved that D. D. Rouse be appointed Sergeant-at-Arms *pro tempore*, which motion was,

On motion of Hon. Elijah Hawley, Jr., of Wayne,

Laid on the table.

On motion of Hon. Nathan C. Parkhurst, of Oakland,

David A. Rhodes was appointed Sergeant-at-Arms *pro tempore*.

The roll of the members elect was then called by the Clerk *pro tempore*, when the following Representatives answered to their names:

*Barry*—John Bowne.

*Berrien*—Andrew L. Burk, Henry Chamberlain.

*Branch*—George A. Coe, Oliver C. Comstock.

*Calhoun*—Fenner Ferguson, Norton P. Hobart, Orlando Moffatt.

*Cass*—Cyrus Bacon, George B. Turner.

*Chippewa*—John N. Ingersoll.

*Clinton*—Morris S. Allen.

*Eaton*—William Hammond.

*Genesee*—Daniel Dayton, John L. McNeil.

*Hillsdale*—Russell Coman, Jesse Stoddard.

*Ingham*—Joseph H. Kilborn.

*Ionis*—Cyrus Lovell.

*Jackson*—Leander Chapman, Benjamin F. Fox, Barnabas C. Hatch.

*Kalamazoo*—Barney Earl, Marsh Giddings.

*Kent and Ottawa*—Henry Pennoyer, Henry C. Smith.

*Lapeer*—James Turrill.

*Lenawee*—Daniel H. Deming, William McNair, Jabez S. Mosher,

John W. Turner, Daniel S. Wilkinson.

*Livingston*—Bradford Campbell, Joseph L. Hartsuff.

*Mackinac*—Charles M. O'Malley.

*Macomb*—Chauncey G. Cady, Israel Curtis, James Flower.

*Monroe*—Edward G. Morton, Samuel Mulhollen, Junius Tilden.

*Oakland*—Friend Belding, Robert W. Davis, Seeley Harger, Major F. Lockwood, Nathan C. Parkhurst, David A. Wright.

*Saginaw*—Alfred Holmes.

*Shiawassee*—Herman C. Noble.

*St. Clair*—Martin S. Gillett, William M. St. Clair.

*St. Joseph*—Philip H. Buck, Levi C. Matthews.

*Van Buren*—John Andrews.

*Washtenaw*—Amasa Gillet, Nathan Salyer, Benjamin W. Waite.

*Wayne*—William F. Chittenden, Orin David, Elijah Hawley, Jr., George Moran, Amos Stevens, Warren Tuttle.

On motion of Mr. Hawley,

A committee of two was ordered to be appointed to wait on Lieut. Governor Fenton, and invite him to administer the oath of office to the Representatives elect.

The Speaker *pro tempore* appointed Messrs. Hawley and J. W. Turner as such committee.

After a short absence, the committee returned, and reported that they had discharged the duty assigned to them.

The Lieutenant Governor thereupon appeared within the bar and administered the constitutional oath to the members elect who had answered to their names, as above, and they severally took their seats.

Mr. Ingersoll offered the following resolution, which was adopted by a two-thirds vote:

*Resolved*, That the rules of the last House of Representatives be adopted, until otherwise ordered.

On motion of Mr. Hawley,

*Resolved*, That the Secretary of State be directed to furnish each member of the House with a copy of the revised statutes of 1846, a copy of the session laws of the years 1846, 1847, and 1848, and a copy of the journals and documents of the last session of the legislature.

Mr. Chittenden moved an adjournment, but the House refused to adjourn.

On motion of Mr. Ingersoll,

A committee of two was ordered to be appointed to wait on the Senate, and inform that body that the House was organized, and ready to proceed to business.

The Speaker *pro tempore* appointed as such committee, Messrs. Ingersoll and O. C. Comstock, who, after a short absence, returned and reported that they had discharged the duty assigned to them.

On motion of Mr. G. B. Turner,

*Resolved*, That the hour to which the House shall stand adjourned each day, be ten o'clock A. M., until otherwise ordered.

Mr. G. B. Turner presented the memorial of N. Buel Eldredge, claiming a seat in this House as a Representative from the county of Lapeer, and moved to refer it to a select committee of five, with instructions to report with all convenient despatch.

Pending which motion, the memorial was,

On motion of Mr. Coe,

Laid on the table.

A committee from the Senate was announced, consisting of Senators Griswold and Roof, who informed the House that the Senate was organized and ready to proceed to business.

Mr. Hawley offered the following resolution which was adopted:

*Resolved*, That a committee of two be appointed on the part of the House, to act with a like committee on the part of the Senate, to wait on the Governor and inform him that the two Houses are now organized, and ready to receive any communication which he may be pleased to make.

The Speaker *pro tempore* appointed Messrs. Hawley and Deming as such committee, who reported that they had discharged the duties for which they were appointed, and had received for answer that the Executive would communicate with the two Houses in writing.



Mr. Ingersoll sent up to the Chair a joint resolution in regard to joint rules, which was read, when

Mr. Ingersoll moved that the fifteenth rule be suspended, which motion prevailed, two-thirds voting in the affirmative.

And the joint resolution was adopted by a two-thirds vote.

The following communication was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 1, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to inform you that Senators Thomson and Isbell have been appointed a committee to act with a like committee on the part of the House, to wait upon the Governor and inform him that the two Houses are now organized and ready to receive any communication he may be pleased to make.

Respectfully &c.,

CHA'S SMITH,

*Secretary Senate, pro tem.*

The annual message of the Governor was received from the hands of his private Secretary, and the Clerk *pro tempore* proceeded to read the same, when

Mr. Ingersoll moved that the further reading be dispensed with, which motion prevailed.

Mr. G. B. Turner offered the following resolution:

*Resolved*, That the Governor's annual message be laid on the table, and one thousand copies be printed in English, five hundred in the French, five hundred in the German, and five hundred in the Dutch languages, for the use of this House.

Mr. Hawley moved to amend the resolution by striking out the word "one," before "thousand," and inserting "two," and by striking out all after the word "printed," to and including the word "languages;"

Pending which,

On motion of Mr. J. W. Turner,

The message and accompanying documents were laid on the table.

Mr. Ingersoll offered the following resolution, which was adopted:

*Resolved*, That four hundred copies of the daily journal be printed for the use of the members of this House, until otherwise ordered.

On motion of Mr. Parkhurst,

The House adjourned.

*Tuesday, January 2, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tempore*.

The roll was called and the members were all present.

Prayer by the Rev. Mr. Cornell.

The journal of yesterday was read and approved.

On motion of Mr. Hawley,

The rule prescribing the order of business was suspended, when

Mr. O. C. Comstock moved that the House proceed to elect a Speaker, which motion prevailed, and upon calling the roll the members severally rose in their places and voted as follows:

FOR LEANDER CHAPMAN:

Mr. Allen,	Mr. Deming,	Mr. Moran,	
Andrews,	Ferguson,	Mosher,	
Bacon,	Flower,	Morton,	
Belding,	Fox,	O'Malley,	
Bowne,	Harger,	Parkhurst,	
Burk,	Hartsuff,	Pennoyer,	
Cady,	Hatch,	Smith,	
Campbell,	Hawley,	Stevens,	
Chamberlain,	Holmes,	Stoddard,	
Chittenden,	Ingersoll,	Tilden,	
Coman,	Kilborn,	G. B. Turner,	
O. C. Comstock,	Lockwood,	J. W. Turner,	
Curtis,	Matthews,	Tuttle,	
David,	McNair,	Wilkinson,	
Davis,	McNeil,	Wright,	45

FOR GEORGE A. COE:

Mr. Buck,	Mr. M. S. Gillett,	Mr. Mulhollen,	
Dayton,	Hammond,	Noble,	
Earl,	Hobart,	Salyer,	
Giddings,	Lovell,	St. Clair,	
● A. Gillet,	Moffatt,	Waite,	15

FOR OLIVER C. COMSTOCK:

Mr. Chapman,		1
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FOR CYRUS LOVELL:

Mr. Coe,		1
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Leander Chapman, having received a majority of all the votes, was declared duly elected Speaker of the House of Representatives.

Mr. G. B. Turner moved the appointment of a committee of two to inform Mr. Chapman of his election, and conduct him to the chair.

The Speaker *pro tempore* appointed Messrs. G. B. Turner and Coe, who performed the duty assigned them, and

On taking the Chair, the Speaker addressed the House as follows:

*Gentlemen of the House of Representatives:*

Before taking the Chair, allow me in Spartan brevity to express my grateful acknowledgments for the distinction and honor you have conferred upon me in selecting me to preside over your deliberations. I enter upon the duties incumbent upon me with much diffidence, yet with an anxious desire to discharge these duties with the strictest impartiality to all. Having but little legislative experience myself, I shall need your aid and assistance in enforcing the observance of the rules of order of this House, and in giving construction to all doubtful questions that may arise, as the business progresses.

Again thanking you, gentlemen, for your kindness to me, I assume the high and important duties of the Chair.

On motion of Mr. Ingersoll,

The House proceeded to elect a Clerk, with the following result:

FOR AUGUSTINE W. HOVEY:

Mr. Allen,	Mr. Ferguson,	Mr. Morton,
Andrews,	Flower,	Mosher,
Bacon,	Fox,	O'Malley,
Belding,	Harger,	Parkhurst,
Bowne,	Hartsuff,	Pennoyer,
Burk,	Hatch,	Smith,
Cady,	Hawley,	Stevens,
Campbell,	Holmes,	Stoddard,
Chamberlain,	Ingersoll,	Tilden,
Chittenden,	Kilborn,	G. B. Turner,
Coman,	Lockwood,	J. W. Turner,
O. C. Comstock,	Matthews,	Tuttle,
Curtis,	McNair,	Wilkinson,
David,	McNeil,	Wright,
Davis,	Moran,	Speaker,
Deming,		

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FOR WHITNEY JONES:

Mr. Buck,	Mr. M. S. Gillett,	Mr. Noble,
Coe,	Hammond,	Salzer,
Dayton,	Hobart,	St. Clair,
Earl,	Lovell,	Turrill,
Giddings,	Moffatt,	Waite,
A. Gillet,	Mulhollen,	

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And Augustine W. Hovey was declared duly elected Clerk of the House of Representatives, who thereupon took the constitutional oath.

Mr. O. C. Comstock moved that the House elect an Engrossing,

Enrolling and Recording Clerk, which motion prevailed, and the following vote was taken:

## FOR JAMES B. CRANE:

Mr. Allen,	Mr. Ferguson,	Mr. Mosher,
Andrews,	Flower,	O'Malley,
Bacon,	Fox,	Parkhurst,
Belding,	Harger,	Pennoyer,
Bowne,	Hartsuff,	Salzer,
Burk,	Hatch,	Smith,
Cady,	Hawley,	Stevens,
Campbell,	Holmes,	Stoddard,
Chamberlain,	Ingersoll,	Tilden,
Chittenden,	Kilborn,	G. B. Turner,
Coman,	Lockwood,	J. W. Turner,
O. C. Comstock,	Matthews,	Tuttle,
Curtis,	McNair,	Wilkinson,
David,	McNeil,	Wright,
Davis,	Moran,	Speaker,
Deming,	Morton,	

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## FOR JOHN C. WHITE:

Mr. Buck,	Mr. M. S. Gillett,	Mr. Mulhollen,
Coe,	Hammond,	Noble,
Dayton,	Hobart,	St. Clair,
Earl,	Lovell,	Turrill,
Giddings,	Moffatt,	Waite,
A. Gillet,		

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James B. Crane having received a majority of all the votes, was declared elected.

On motion of Mr. Lockwood,

The House proceeded to elect a Sergeant-at-Arms, which resulted as follows:

## FOR RICHARD H. CONNOR:

Mr. Allen,	Mr. Ferguson,	Mr. Morton,
Andrews,	Flower,	Mosher,
Bacon,	Fox,	O'Malley,
Belding,	Harger,	Parkhurst,
Bowne,	Hartsuff,	Pennoyer,
Burk,	Hatch,	Smith,
Cady,	Hawley,	Stevens,
Chamberlain,	Holmes,	Stoddard,
Chittenden,	Ingersoll,	Tilden,
Coman,	Kilborn,	G. B. Turner,
O. C. Comstock,	Lockwood,	J. W. Turner,
Curtis,	Matthews,	Tuttle,
David,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,
Deming,	Moran,	Speaker,

45

FOR THOMAS ALEXANDER, JR.:

Mr. Buck,	Mr. M. S. Gillett,	Mr. Noble,
Coe,	Hammond,	Salyer,
Dayton,	Hobart,	St. Clair,
Earl,	Lovell,	Turrill,
Giddings,	Moffatt,	Waite,
A. Gillet,	Mulhollen,	

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Whereupon, Richard H. Connor was declared elected.

Mr. Hawley offered the following resolution:

*Resolved*, That the Speaker be authorized to appoint three messengers, to be paid for their services at the rate of one dollar per day, each; and one fireman, to be paid at the rate of one dollar and fifty cents per day.

Mr. J. W. Turner moved that the resolution be amended by striking out "three" before "messengers," and inserting "two," which amendment did not prevail.

Mr. Lockwood, moved to amend by striking out "three" and inserting "four," and a division of the question being called for, it was first taken on striking out, and decided in the negative.

Mr. J. W. Turner moved to amend, so that the pay of messengers should be one dollar and fifty cents, and of firemen, two dollars each, per day, which motion was lost, and

The original resolution was then adopted.

Mr. Fox offered the following resolution:

*Resolved*, That the Rev. O. C. Comstock, a member of this House, be requested to open the daily sessions by prayer, until otherwise ordered.

Mr. O. C. Comstock moved to amend the resolution by striking out all after the word "that," and inserting "this House will now proceed to elect a chaplain," which amendment was agreed to, and

The resolution as amended was then adopted.

The House then proceeded to the business of electing a chaplain, when the representatives severally voted as follows:

For Rev. Mr. CORNELL—Messrs. Burk, Coman, O. C. Comstock, Earl, Fox, A. Gillet, Hatch, Hawley, Hartsuff, Ingersoll, Lockwood, Lovell, McNeil, Salzer, Stoddard, Turrill, Tuttle, Waite, Speaker—19.

For Rev. Mr. HUGHWOUT—Messrs. Cady, Campbell, Chittenden, Curtis, David, Deming, Flower, Matthews, McNair, Mosher, J. W. Turner, Wilkinson—12.

For Rev. Mr. ATTERBURY—Messrs. Bacon, Dayton, M. S. Gillett, Hammond, Kilborn, Morton, Mulhollen, St. Clair—8.

For Rev. Mr. BYINGTON—Messrs. Andrews, Ferguson, Hobart, Moffatt, Stevens, Tilden—6.

For Rev. Mr. CUMMING—Messrs. Allen, Bowne, Holmes, Noble, Pennoyer, Smith—6.

For Rev. Mr. SANFORD—Messrs. Belding, Harger, G. B. Turner, Wright—4.

For Rev. Mr. LAMB—Messrs. Coe, Davis, Moran, Parkhurst—4.

For Rev. Mr. HATHAWAY—Mr. Buck—1.

For Rev. Mr. SPRAGUE—Mr. Chamberlain—1.

For Rev. Mr. PAYSON—Mr. Giddings—1.

Blank—Mr. O'Malley—1.

No one having a majority, there was no election.

Mr. Andrews moved to postpone the further consideration of the whole subject until to-morrow, which motion was lost.

On motion of Mr. Hawley,

The House proceeded to a second vote, which resulted as follows:

For Rev. Mr. CORNELL—Messrs. Burk, O. C. Comstock, Earl, Fox, Giddings, A. Gillet, Hartsuff, Hatch, Hawley, Ingersoll, Lockwood, Lovell, Pennoyer, Salyer, Smith, Tilden, Tuttle, Waite, Speaker—19.

For Rev. Mr. HOUGHWOUT—Messrs. Belding, Cady, Campbell, Chittenden, Coman, Curtis, David, Deming, Flower, Holmes, Matthews, McNair, Mosher, Parkhurst, Stoddard, J. W. Turner, Wilkinson—17.

For Rev. Mr. ATTERBURY—Messrs. Allen, Bacon, Dayton, M. S. Gillet, Hammond, Kilborn, Moran, Morton, Mulhollen, St. Clair, Stevens, Turrill—12.

For Rev. Mr. BYINGTON—Messrs. Andrews, Bowne, Coe, Ferguson, Hobart, Moffatt—6.

For Rev. Mr. CUMMING—Messrs. Davis, Harger, Noble, Wright—4.

For Rev. Mr. SPRAGUE—Messrs. Buck, Chamberlain—2.

For Rev. Mr. SANFORD—Mr. G. B. Turner—1.

Blank—Messrs. McNeil, O'Malley—2.

There being no election,

Mr. Parkhurst moved that the House adjourn, which motion did not prevail.

On motion of Mr. J. W. Turner,

It was ordered that the House proceed to take a third vote, and that the candidates be the two who received the largest vote at the last trial.

On motion of Mr. Hawley,

Messrs. Bacon, Buck, Bowne, Coe, M. S. Gillett, Harger, Hobart, Kilborn, Moffatt, Morton, O'Malley, St. Clair, G. B. Turner and Wright were excused from voting.

The vote was then taken with the following result:

For Rev. Mr. CORNELL—Messrs. Allen, Andrews, Burk, O. C. Comstock, Curtis, Dayton, Earl, Ferguson, Fox, Giddings, A. Gillet, Hammond, Hartsuff, Hatch, Hawley, Ingersoll, Lockwood, Lovell, Mulhollen, Salyer, Smith, Stevens, Tilden, Turrill, Tuttle, Waite, Speaker—27.

For Rev. Mr. HUGHWOUT—Messrs. Belding, Cady, Campbell, Chamberlain, Chittenden, Coman, David, Davis, Deming, Flower, Holmes, Matthews, McNair, McNeil, Moran, Mosher, Parkhurst Penoyer, Stoddard, J. W. Turner, Wilkinson—21.

For Rev. Mr. CUMMING—Mr. Noble—1.

Rev. Mr. A. Cornell, Jr., having received a majority of the votes, was declared duly elected Chaplain to the House.

The following communication was received from the Senate:

SENATE CHAMBER,  
Lansing, January 1, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return the joint resolution relative to joint rules, and to inform you that the Senate have concurred therein.

I am also instructed to transmit a joint resolution relative to postage, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

W. L. BANCROFT,

*Secretary of the Senate.*

The joint resolution was ordered to be read the third time; was so read and was passed.

On motion of Mr. Ingersoll,

*Resolved*, That the Speaker be authorized to draw his certificate for two days' services as Sergeant-at-Arms *pro tempore*, in favor of David A. Rhodes, at three dollars per day.

Mr. Hawley offered the following resolution:

*Resolved*, That the Clerk of this House be directed to furnish at



the expense of the state, to each member of this House, such newspapers published within this state, as they shall respectively direct, not exceeding in value one daily newspaper.

Mr. J. W. Turner moved to amend the resolution by striking out the words "published within this state," which motion prevailed.

On motion of Mr. Pennoyer,

The words "one daily newspaper," were stricken out, and "two daily newspapers" inserted.

Mr. Hawley moved that the resolution be laid on the table, which motion was lost.

On motion of Mr. Ingersoll,

The words "and officers," were inserted after members.

Mr. Coe offered the following, as a substitute for the resolution, which substitute was agreed to.

*Resolved*, That the Clerk be requested to furnish each member and officer of this House with such newspapers as they may severally direct, not exceeding in price the average expense of two daily papers.

The resolution as amended was then adopted.

On motion of Mr. G. B. Turner,

The House adjourned.

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*Wednesday, January 3, 1849.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called and the members were all present.

The journal of yesterday was read and approved.

Mr. Salyer announced that Salmon L. Haight, a Representative from the county of Washtenaw, was present, and

Mr. Ingersoll announced that Horace H. Comstock, a Representative elect from the county of Allegan, was present, when

Messrs. Comstock and Haight appeared at the Clerk's desk, took and subscribed the constitutional oath, and took their seats.

The Speaker appointed as Messengers, William V. Kilborn, Benjamin F. Tisdale and Jerome W. Turner, and also appointed Ezra Willis as fireman.

Mr. Parkhurst presented the petition of officers of school district number two, in the township of Pontiac, for the re-assessment of certain taxes, which was laid on the table.

Mr. Ingersoll gave notice that on some future day he will ask leave to introduce a bill to incorporate the Native copper company, and a bill to incorporate the Upper Peninsular mining company.

Mr. Giddings gave notice that on some future day he will ask leave to introduce joint resolutions relative to slavery in the new territories of the United States.

Mr. G. B. Turner gave notice that on some future day he will ask leave to introduce a joint resolution for amending the constitution, so that the sessions of the legislature shall be held biennially.

Mr. Andrews asked and obtained leave of absence for Mr. Ferguson, for the day, on account of ill health.

On motion of Mr. Hawley,

The Governor's annual message and accompanying documents were taken from the table, and

The question being on the motion of Mr. Hawley, made on Monday, to amend the following resolution, offered by Mr. G. B. Turner:

*Resolved*, That the Governor's annual message be laid on the table, and one thousand copies be printed in English, five hundred in the French, five hundred in the German and five hundred in the Dutch languages, for the use of this House,"

Which amendment strikes out the word "one" before "thousand" and inserts "two," and strikes out all after the word "printed," to and including the word "languages," it was accepted by the mover of the original resolution.

On motion of Mr. Ingersoll,

The resolution was amended so as to read as it was originally offered, and it was then adopted by the House.

On motion of Mr. Hawley,

The documents accompanying the message were laid on the table.

Mr. Ingersoll offered a joint resolution relative to revising the joint rules, which was read twice, when

The action of the fifteenth rule was suspended, and

The joint resolution was ordered to be read a third time; was so read, and was passed.

On motion of Mr. O'Malley,

The Speaker was authorized to appoint an additional messenger, and

The Speaker appointed Edwin Brown.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 3, 1849. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit to you "joint resolution relative to printing a manual of the present session;"

Also a "joint resolution respecting documents."

Which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate joint resolution relative to printing a manual for the use of the present legislature, was read twice, when

Mr. Hawley moved that it be referred to a committee of the whole, which motion was lost, and

The joint resolution was ordered to be read the third time.

On motion of Mr. Coe;

A suspension of the rule was ordered, and

The joint resolution was read the third time and passed.

The Senate joint resolution, respecting documents, was read twice, and ordered to be read the third time.

On motion of Mr. G. B. Turner,

The rule was suspended, and

The joint resolution was read the third time and passed.

Mr. Hawley moved an adjournment, which motion did not prevail.

Mr. Chamberlain offered the following resolution:

*Resolved*, That each member of this House be allowed the sum of five dollars for stationery, and that the committee on supplies be authorized to furnish the Speaker, Clerk, Enrolling and Engrossing Clerk, such amount as may be necessary.

Mr. Noble moved to amend the resolution, by striking out the words "five dollars," which motion was decided in the negative.

Mr. Ingersoll moved the adoption of the following, as a substitute:

*Resolved*, That the standing committee on supplies and expenditures be, and they are hereby instructed and required to keep an accurate account of supplies and expenditures for the members and officers of the House, charging each member and officer individually with the supplies furnished him, and keep the same at all times in readiness for the inspection of the House.

Which substitute was rejected, and

The original resolution was adopted.

On motion of Mr. J. W. Turner,

The House adjourned.

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*Thursday, January 4, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. H. H. Comstock and Ferguson, were absent without leave.

Mr. G. B. Turner asked and obtained leave of absence for Mr. Ferguson for the day.

Mr. Ingersoll for Mr. H. H. Comstock, for the day.

The Speaker announced the following as the standing committees:

*On Ways and Means*—Messrs. Pennoyer, Tilden, Bacon, Parkhurst and Moffatt.

*On State Affairs*—Messrs. Morton, Andrews, H. H. Comstock, Giddings and Haight.

*On the Judiciary*—Messrs. Ferguson, Coe, J. W. Turner, G. B. Turner and Lovell.

*On Internal Improvement*—Messrs. Campbell, Stoddard, Buck, Pennoyer and Earl.

*On Harbors*—Messrs. Andrews, Cady, A. Gillet, Burk and St. Clair.

*On Claims*—Messrs. G. B. Turner, Tuttle, Lockwood, Deming and Hammond.

*On Elections*—Messrs. Hawley, Kilborn, Davis, Haight and Noble.

*On Federal Relations*—Messrs. Chamberlain, Wilkinson, Stevens, Mulhollen and Turrill.

*On Banks and Incorporations*—Messrs. J. W. Turner, Chittenden, Campbell, Moffatt and Lovell.

*On Public Lands*—Messrs. Kilborn, Mosher, Harger, Smith and Waite.

*On Printing*—Messrs. Ingersoll, Morton, Wright, Dayton and M. S. Gillett.

*On Education*—Messrs. O. C. Comstock, O'Malley, McNair, Curtis and Hobart.

*On Engrossment and Enrollment*—Messrs. Parkhurst, David, Allen, Chamberlain and Coe.

*On Agriculture and Manufactures*—Messrs. Smith, Hartsuff and Hatch.

*On Supplies and Expenditures*—Messrs. Belding, Matthews and Hobart.

*On the Organization of Townships and Counties*—Messrs. Flower, Matthews and Coman.

*On the State Prison*—Messrs. Fox, O. C. Comstock and Salyer.

*On Roads and Bridges*—Messrs. Davis, Deming and Moran.

*On the State Library*—Messrs. O'Malley, Stevens and Belding.

*On Indian Affairs*—Messrs. Holmes, Hatch and McNeil.

*On Mines and Minerals*—Messrs. Ingersoll, David and Tilden.

*On Militia*—Messrs. Chittenden, Bowne and Lockwood.

#### PETITIONS PRESENTED.

By Mr. Parkhurst, of citizens of Oakland county, for a reduction in the price of certain school lands, which was referred to the committee on public lands.

By Mr. Pennoyer, of E. B. Bostwick and seventy-five others, of Kent and Ottawa counties, for an appropriation of internal improvement lands, for the improvement of a certain road, which was referred to the committee on internal improvement.

By Mr. Chittenden, of B. B. Kercheval and others, for the incorporation of the Peninsula bank, which was referred to the committee on banks and incorporations.

By Mr. Lovell, of William Mercer and others, inhabitants of the township of Boston, for the organization of a new township, which was referred to the committee on the organization of townships and counties.

By Mr. Fox, of the trustees of the Leoni theological seminary, for

a loan from the school fund, which was referred to the committee on education.

Mr. Coe presented the circular of the supervisors of Branch county, relative to an amendment of the tax laws, which was referred to committee on ways and means.

Mr. Ingersoll moved a suspension of the rule to enable him to introduce a joint resolution, previous notice not having been given, which motion prevailed by a two-thirds vote, when

Mr. Ingersoll introduced the following joint resolutions, which were read twice and referred to the committee on federal relations, viz:

JOINT RESOLUTIONS respecting the Territories of the United States.

*Resolved, by the Senate and House of Representatives of the State of Michigan,* That we consider the result of the late war with Mexico, in the acquisition of the territories of New Mexico and California, as an enduring monument to the honor of our gallant army, regulars and volunteers, officers and soldiers, and that we rejoice in the prospect of extending over that once enslaved country the beneficent laws and institutions of a free people.

*Resolved,* That we are in favor of the fundamental principles of the ordinance of 1787—and although we have entire confidence in the opinions of many eminent statesmen and jurists, and believe with them that slavery is a mere local institution, which cannot exist without positive laws authorizing its existence; yet, as friends of freedom to all mankind, and as an earnest of the sincerity of our professions, we believe that Congress has the power, and that it is their duty to prohibit by legislative enactment, the introduction or existence of slavery within any of the territories of the United States, now or hereafter to be acquired, where the same is not authorized by local laws.

*Resolved,* That our Senators in Congress be instructed and our Representatives requested to use all honorable means to accomplish the objects expressed in the foregoing resolution, and that the Governor of this state be requested to forward copies of these resolutions to our Senators and Representatives in Congress.

On motion of Mr. G. B. Turner,

The memorial of N. Buel Eldredge, claiming a seat as Representative from Lapeer, was taken from the table and referred to the committee on elections.

Mr. Hawley introduced a resolution referring the various portions of the Governor's annual message to the different committees, which was read, and

On motion of Mr. Ingersoll,

Referred to the committee of the whole, and placed on the general order.

On motion of Mr. Parkhurst,

The petition of officers of school district number two, in the township of Pontiac, was taken from the table, and referred to the committee on ways and means.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Native copper company, which was read twice and referred to the committee on banks and incorporations.

The House having arrived at the general order, resolved itself into a committee of the whole thereon, Mr. J. W. Turner in the chair.

After spending a short time thereon, the committee rose, and by their chairman reported back to the House, without amendment, the resolution referring the Governor's annual message, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

The resolution was then adopted in the following form:

*Resolved*, That so much of the Governor's message as relates to finance and taxes, be referred to the committee of ways and means.

That so much as relates to public lands be referred to the committee on public lands.

That so much as relates to an asylum for the deaf, dumb, blind, and insane, to the committee on state affairs.

That so much as relates to common schools, be referred to the committee on education.

That so much as relates to the militia, to the committee on the militia.

That so much as relates to the state prison, to the committee on the state prison.

That so much as relates to messengers, carrying votes for electors of president and vice president, and the compensation of electors of president and vice president, to the committee on the judiciary.

That so much as relates to a convention to revise the state constitution, to a select committee.



That so much as relates to slavery, to the committee on federal relations.

That so much as relates to banks and banking, to the committee on banks and incorporations.

That so much as relates to the Southern railroad, to the committee on ways and means.

The following communication was received from the Auditor General.

AUDITOR GENERAL'S OFFICE,  
*Lansing, January 4th, 1849.*

HON. L. CHAPMAN,

*Speaker of the House of Representatives:*

SIR:—I have the honor herewith to transmit a copy of the annual report from this office, for the fiscal year ending Nov. 30th ult., prepared and printed for the use of the present legislature, as required by law.

Yours, respectfully,

JOHN J. ADAM,

*Auditor General.*

On motion of Mr. G. B. Turner,

The annual report of the Auditor General, was referred to the committee on ways and means.

The following communication was received from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE,  
*Lansing, January 4th, 1849.*

HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

SIR:—I have the honor to transmit herewith a copy of the annual report on the condition of the state library, for the year 1848, prepared and printed for the use of the legislature, pursuant to law.

Respectfully yours,

GEO. W. PECK,

*Secretary of State.*

On motion of Mr. Hawley,

The document accompanying the foregoing communication was referred to the committee on the state library.

The following communication was received from the State Treasurer:

Jan. 5.]

HOUSE OF REPRESENTATIVES.

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STATE TREASURER'S OFFICE,  
Lansing, January 4th, 1849.

Hon. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

I enclose herewith a copy of the annual report of this office for the fiscal year 1848, ending the 30th of Nov. last.

Yours respectfully,

GEO. B. COOPER,

*State Treasurer.*

On motion of Mr. Ingersoll,

The annual report of the State Treasurer was referred to the committee on ways and means.

On motion of Mr. Hawley,

The documents accompanying the Governor's annual message were taken from the table and referred to the committee on federal relations.

Mr. Ingersoll moved the suspension of the rule prescribing the order of business,

Which motion was not agreed to.

On motion of Mr. Hawley,

The House adjourned.

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*Friday, January 5, 1849.*

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Ferguson was absent without leave.

Mr. Lockwood asked and obtained leave of absence for Mr. Ferguson for an indefinite period.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Tilden, of the township board of the township of Ida, for a law authorizing the assessment of a certain tax, which was referred to the committee on ways and means.

By Mr. Tuttle, of the heirs of Betsey Kingsley, for the passage of a law authorizing Ira M. Hough to convey certain real estate, which was referred to the committee on the judiciary.

By Mr. Cady, of John Lee, relative to certain school lands in the county of Macomb; referred to the committee on public lands.

By Mr. Pennoyer, of P. J. G. Hodenpyl and others, of Ottawa county, for an appropriation of internal improvement lands for the purpose of improving a certain road in the counties of Kent and Ottawa.

Mr. Hawley moved that the petition be referred to the committee on ways and means, which motion was lost, and it was,

On motion of Mr. Pennoyer,

Referred to the committee on public lands.

Mr. Andrews presented certain papers of Evert B. Dyckman, claiming a seat in this House as a Representative from the county of Kalamazoo; referred to the committee on elections.

By Mr. Haight, of inhabitants of the township of Saline, and vicinity, for the granting of pre-emption to Lyman Philips, to certain saline lands in said township; referred to the committee on public lands.

By Mr. Curtis, the memorial of the board of supervisors of the county of Macomb, asking certain amendments of the poor laws; referred to the committee on the judiciary.

By Mr. Moffatt, of John Stewart and sixty-seven others, for an appropriation to aid in the construction of a line of Morse's telegraph from Jackson to Lansing; referred to the committee on ways and means.

By Mr. Chamberlain, of Isaac O. Adams and others, of New Buffalo, Berrien county, for the incorporation of a company to construct a plank road from New Buffalo to the northern line of the state of Indiana; referred to the committee on banks and incorporations.

By Mr. Parkhurst, of David Paddock, for the setting off of certain lands from the corporate limits of the village of Pontiac; referred to the committee on banks and incorporations.

By Mr. Andrews, of eighty citizens of Van Buren county, for the appropriation of certain non-resident highway taxes on the road leading from Paw Paw, via Lawrence, to Breedsville, in said county; referred to the committee on roads and bridges.

Mr. Pennoyer, from the committee on ways and means, made the following report, which was accepted and the committee discharged from the further consideration of the subject.

The committee of ways and means, to whom was referred the report of the Auditor General, beg leave to report that they have had the same under consideration, and are unanimously of the opinion that it cannot be too widely distributed. It should be in the hands of every county clerk, county treasurer, supervisor and township clerk, through the entire state, as well as all the tax-paying readers. For the purpose therefore, of giving that document circulation to the extent it should have, your committee would most respectfully ask this House to order at least one thousand copies printed for the purpose of distribution by the members of this House.

All of which is respectfully submitted.

Mr. Allen gave notice that on some future day he will ask leave to introduce a bill to extend the time for the collection of taxes in the county of Clinton.

Mr. J. W. Turner, gave notice that on some future day he will ask leave to introduce a bill to amend certain provisions of chapter ninety-three of the revised statutes;

A bill to amend chapter ninety-four of the revised statutes; and

A bill to repeal an act entitled an act to prohibit the circulation of foreign notes, approved April 3, 1848.

On motion of Mr. J. W. Turner,

*Resolved*, That all bills reported from standing committees be referred to the committee of the whole, placed on the general order, and ordered to be printed, unless otherwise directed.

Mr. J. W. Turner sent up to the Chair the following concurrent resolution:

*Resolved*, (the Senate concurring,) That this legislature will meet in joint convention, on Tuesday, the ninth instant, for the purpose of electing a United States Senator, to fill the vacancy created by the resignation of Hon. Lewis Cass.

Mr. Ingersoll moved that the action of the fifteenth rule be suspended, which motion prevailed by a two-third vote, and the concurrent resolution was adopted.

On motion of Mr. Fox,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of amending the act exempting a homestead from forced sale in certain cases, so that the exemption may include eighty, instead of forty acres; and also to inquire into the expediency

of abolishing all laws for the collection of debts under the amount of twenty dollars, accruing upon all contracts made after the first day of May next.

Mr. Giddings gave notice that on some future day he will ask leave to introduce

A bill relative to juries in county courts;

A bill for the reduction of the price of university lands; and

A bill relative to county and township poor.

Mr. Cady gave notice that on some future day he will ask leave to introduce

A bill to incorporate a company to construct a plank road in the county of Macomb.

On motion of Mr. Salyer,

*Resolved*, That the committee on printing be instructed to inquire and report to this House, as soon as practicable, whether the journals of the last session have been printed; and if not, at what time we can have them; and also, to inquire if the contract with the printers of last year did not bind them to have such journals ready for distribution prior to the commencement of the present session.

Mr. Ingersoll gave notice that on some future day he will ask leave to introduce a bill to incorporate the village of St. Mary; and

A bill to provide for the payment of officers and members of the legislature, and for other purposes.

On motion of Mr. Chittenden,

*Resolved*, That the Speaker be authorized to draw his certificate for three days' services as fireman of the House, in favor of Joseph Keusch, at the rate of two dollars per day.

Mr. Burk gave notice that on some future day he will ask leave to introduce a bill authorizing the construction of a bridge across the St. Joseph river, at the mouth of M'Coy's creek.

Mr. Tilden gave notice that on some future day he will ask leave to introduce a bill to amend the revised statutes in relation to the assessment of highway taxes.

Mr. Chamberlain gave notice that on some future day he will ask leave to introduce

A bill to incorporate the New Buffalo and Laporte plank road company;

A bill to amend chapter one hundred and six of the revised statutes; and

A bill to repeal an act entitled an act to exempt a homestead from forced sale in certain cases.

On motion of Mr. O. C. Comstock,

*Resolved*, That the use of the Representative Hall be tendered to Rev. W. W. Atterbury, of the Congregational and Presbyterian society, in the forenoon of each Sabbath; and to Rev. Ransom R. Richards, of the Methodist Episcopal Church, in the afternoon, for religious worship, until the first day of January next.

Mr. O. C. Comstock offered the following resolution, which was adopted:

*Resolved*, That the House respectfully invite Hon. Ira Mayhew, superintendent of public instruction, to lecture on the subject of moral and religious education, on Sunday next, at half past ten o'clock A. M., and two o'clock P. M.

Mr. Coe gave notice that on some future day he will ask leave to introduce a bill on some subject neglected by other members.

On motion of Mr. Ingersoll,

*Resolved*, That one thousand extra copies of the annual report of the Auditor General be printed for the use of this House.

The Speaker announced as the select committee to whom was referred that portion of the Governor's message relating to a convention to revise the constitution, Messrs. Hawley, Bowne, O. C. Comstock, McNeil and Andrews.

Mr. G. B. Turner moved an adjournment, which motion was lost.

Mr. Hawley moved that the House take a recess for half an hour; Which motion was decided in the negative.

On motion of Mr. Waite,

The House adjourned to meet on Monday morning at ten o'clock.

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*Monday, January 8, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. O. C. Comstock.

The roll was called and the journal of Friday was read and approved.

Mr. Dayton announced that Mr. NOBLE, a Representative from the

county of Shiawassee, departed this life at his lodgings, in Lansing, on Sunday morning at half-past three o'clock.

Mr. Dayton continued :—

MR. SPEAKER:—This painful message devolves on me the melancholy duty of paying a brief tribute to the virtues of the deceased, and of asking this House to unite in the customary ceremonials of respect for the memory of the lamented NOBLE.

The fearful messenger of DEATH has now for the first time since the removal of the capitol from Detroit, entered into our midst, and we are called to put on the habiliments of mourning. It was not my fortune to be well acquainted with him, but from those who knew him well, I learn that he was a young man of the highest promise, and of most excellent character. He was a man of quiet and unobtrusive habits, and of a disposition so kind and benevolent, so willing to serve others rather than himself, that he won golden opinions from all who had the pleasure of his acquaintance. His election as a member of the House of Representatives, during the late exciting election, was but a feeble tribute to his virtues—living in a county opposed to himself in politics, he was elected by a handsome majority over his political opponent.

But, alas! what is man!—and who knoweth what a day or an hour may bring forth? The warm heart that beat for others is now hushed by the cold embrace of *death*! The fond husband is no more—the affectionate father has left us, and in one short week the bright hope of a life of future usefulness is changed to the weeping of a husbandless wife, for a fond and devoted husband.

Such, feebly, are a few of the traits in the character of the lamented NOBLE.

May God in his mercy, temper the wind to her who is left to *mourn*, and may He also protect the hapless orphan.

To the living—to *us*, as members of the House of Representatives, and to all around us, while pestilence is around and about us, well may we exclaim with holy writ: "Whatsoever thy hand findeth to do, do it with all thy might—for there is no work, nor device, nor knowledge, nor wisdom, in the grave, whither thou goest!"

Mr. COE offered the following preamble and resolutions:

*Whereas*, The painful and startling intelligence of the death of Hon. HERMAN C. NOBLE, a member of this House, from the county of Shi-



awassee, on Sunday the 7th inst., has this morning been announced; therefore,

*Resolved*, That the sudden decease of one of the members of this body, in the prime of life and in the full enjoyment of his physical and mental powers, is a dispensation of Divine Providence, which teaches the vanity of earthly hopes, and administers to us the solemn admonition, that we are all hastening to that "bourne from whence no traveler returns."

*Resolved*, That we tender our heartfelt sympathies to the bereaved family and friends, and cheerfully bear our testimony to the high moral and social worth of the deceased, and would solemnly invoke Him who rules over us to "temper the wind to the shorn lamb."

*Resolved*, That as a tribute of respect to the memory of the departed, the members and officers of this House will wear the usual badge of mourning for thirty days.

*Resolved*, That a copy of these resolutions be forwarded by the Clerk of the House, to the friends of the deceased.

*Resolved*, That a committee of five be appointed, consisting of Messrs. Wright, Lockwood, Salyer, Fox and Campbell, to make suitable arrangements for the interment of the remains of our departed Brother, and under the direction of the Speaker, to deliver the same to the family and friends.

*Resolved*, That as a further tribute to the memory of the departed, this House do now adjourn.

Mr. Ingersoll rose and supported the resolutions as follows:

Mr. SPEAKER:—In rising to support the adoption of the resolutions offered by my Honorable friend from Branch, I would briefly add a tribute to the memory of our departed friend, whose official duties with us had just commenced. Five days only were allotted him on this floor by an inscrutable Providence. Full of buoyancy and hope, he left that seat on Friday, at the moment of adjournment. Apparent health and serene happiness beamed from his sparkling eye, and sat upon his manly brow. But now, how changed! The mourning drapery which enshrouds yonder chair tells the sad story that the Destroyer has been here.

"Leaves have their time to fall,  
And flowers to wither at the north wind's breath;  
And stars to set—but all,  
Thou hast all seasons for thine own—O death!"

It was not the good fortune of us all to become intimately acquaint-

ed with every manly virtue that ennobled the heart of our departed associate—but where his character was best known, it was highly appreciated. A young man, of scarce twenty-eight years, with no wealth to gain him influence, or immediate relatives to usher him before the public eye, the citizens of the county of Shiawassee sought him out and committed their legislative interests on this floor to his wisdom. And faithfully would they have been represented.

Mr. Speaker, while we lament the loss of our friend, let us treasure up his many excellent qualities as worthy of imitation, and ever bear in mind that *it is* but a single step to that “bourne from whence no traveler returns.”

Sir, I support the adoption of the resolutions.

Pending the question

On the adoption of the preamble and resolutions,

Mr. J. W. Turner moved the appointment of a committee of three to inquire into and report the facts in regard to the existence of an epidemic disease in Lansing, which motion prevailed, and

The Speaker appointed as such committee, Messrs. J. W. Turner, O. C. Comstock and Moffatt.

The preamble and resolutions were then unanimously adopted, and

The Speaker declared the House adjourned until to-morrow morning at ten o'clock.

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*Tuesday, January 9, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called and Mr. Ferguson was absent on leave, and Messrs. Davis, Fox, Hammond, Holmes, Lockwood, Lovell, Parkhurst, Salyer, Smith, Tilden and Wright were absent without leave.

Mr. Morton asked and obtained leave of absence for Mr. Tilden for an indefinite period.

The journal of yesterday was read and approved.

Mr. H. H. Comstock presented the petition of Benjamin Porter, asking payment justly due him for building the state capitol, which was referred to the committee on claims.

Mr. Pennoyer presented the petition of Hiram Bateman and twenty-six others, for an appropriation of internal improvement lands for the improvement of a certain road, which was referred to the committee on internal improvement.

Mr. J. W. Turner presented the petition of William Baker, Jr. and twenty-eight others, of the county of Lenawee, for an extension of the time for the payments due from the Michigan Southern railroad company to the state, which was referred to the committee on ways and means.

Mr. Pennoyer, from the committee on ways and means, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee on ways and means, to whom was referred the petition of the officers of school district No. two, in the township of Pontiac, do respectfully beg leave to report, that they have had the same under consideration, and that in the opinion of your committee, the legislature has not the power to grant the prayer of the petitioners, for the reason that the petitioners ask the legislature to legalize an illegal act or acts of certain officers therein named.

And your committee would respectfully ask to be discharged from the further consideration of the petition and that the petitioners have leave to withdraw their petition.

Mr. J. W. Turner from the select committee appointed to inquire into and report the facts as to the existence of an epidemic disease in Lansing, made a report which was read, accepted, and

On motion of Mr. Pennoyer,

Laid on the table.

The following communications were announced:

OFFICE OF BOARD OF STATE AUDITORS ON LAND CLAIMS, }  
Marshall, January 6, 1849. }

HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

SIR:—Herewith you will receive the annual report of the Board of State Auditors on land claims, for the year ending Nov. 30, 1848.

Respectfully,

ABIEL SILVER,  
*Chairman of the Board.*

STATE LAND OFFICE, }  
 Marshall, January 6, 1849. }

HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

SIR:—In obedience to the requirements of law, I have the honor herewith to transmit the report of the business proceedings of this office for the fiscal year ending November 30th, 1848.

Very respectfully,

ABIEL SILVER,  
*Commissioner.*

The documents accompanying the foregoing communication, were referred to the committee on public lands.

The following communication was received:

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }  
 Monroe, January 9, 1849. }

HON. LEANDER CHAPMAN:

*Speaker of the House of Representatives:*

SIR:—I herewith transmit the annual report required by law from this department, for the year 1848.

Very respectfully,

IRA MAYHEW,  
*Superintendent of Public Instruction.*

On motion of Mr. Ingersoll, the annual report of the Superintendent of Public Instruction, was referred to the committee on education.

The following messages were received from the Senate:

SENATE CHAMBER, }  
 Lansing, January 6, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a concurrent resolution respecting a joint committee on state library, and "international exchanges," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

SENATE CHAMBER, }  
 Lansing, January 6, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate, to return herewith, "joint

resolution relative to revising the joint rules," which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

I am further instructed to transmit herewith, "A bill to extend the time for the collection of taxes, in the township of Jackson, in Jackson county;" also,

"Joint resolution respecting the territories of the United States," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate concurrent resolution respecting a joint committee on the state library, and international exchanges, was read twice and referred to the committee on the state library.

The Senate amendments to the joint resolution relative to revising the joint rules, were concurred in.

The Senate joint resolutions respecting the territories of the United States, were read twice and referred to the committee on federal relations.

The Senate bill to extend the time for the collection of taxes in the township of Jackson, in Jackson county, was read twice, when

Mr. J. W. Turner moved a suspension of the rules, so as to enable the bill to be now taken up for consideration, which motion prevailed by a two-thirds vote, and

The bill was ordered to be read the third time.

Mr. J. W. Turner gave notice that on some future day he would ask leave to introduce a bill to provide for the payment of a certain claim held by Henry Lindenbower, against the state, and a claim of Reuben E. Bird against the state.

Mr. G. B. Turner gave notice that on some future day, he would ask leave to introduce a bill to amend chapter forty-nine of the revised statutes of 1846, in relation to theatrical exhibitions and public shows; and

A joint resolution relative to an amendment of the constitution, as proposed by the legislature of 1848, in regard to making certain state officers elective.

Mr. J. W. Turner, pursuant to previous notice, asked and obtain-

ed leave to introduce a bill to amend certain provisions of chapter ninety-three of the revised statutes of 1846, and in relation thereto, which was read twice and referred to the committee on the judiciary.

• Mr. Parkhurst gave notice that on some future day he would ask leave to introduce a bill authorizing Stephen S. Durkee to sell certain real estate.

Mr. Morton gave notice that he would on some future day ask leave to introduce a bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company.

Mr. Bacon gave notice that on some future day he would ask leave to introduce a bill amending chapter fifty-two of the revised statutes of 1846, relating to religious societies.

Mr. J. W. Turner, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter ninety-two of an act for revising and consolidating the general statutes of the state of Michigan, approved May, 1846, and in relation thereto, which was read twice and referred to the committee on the judiciary.

On motion of Mr. J. W. Turner,

*Resolved*, That this House will, at 12 o'clock M., this day, proceed to the nomination of a Senator in Congress in place of Hon. Lewis Cass, resigned.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the payment of the officers and members of the legislature, and for other purposes, which was read twice, when

Mr. Pennoyer moved a suspension of the rules, so that the bill might now be taken up for consideration, which motion prevailed by a two-thirds vote.

Mr. Giddings moved that the bill be amended by striking out the word "three" before "dollars" wherever it occurs in the bill, and insert "two."

Mr. H. H. Comstock moved to amend the motion so as to strike out the word "three," which amendment was rejected, and

The question recurring on the motion to strike out "three" and insert "two," it was decided in the negative by the following vote:

YEAS,

Mr. Bacon,  
Buck,  
Cady,

Mr. A. Gillet,  
Haight,  
Hammond,

Mr. Mosher,  
Mulhollen,  
Parkhurst,

Coe,  
H. H. Comstock,  
Earl,  
Giddings,

Harger,  
Hobart,  
Lovell,

Turrill,  
Waite,  
Wilkinson,

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## NAYS.

Mr. Allen,  
Andrews,  
Belding,  
Bowne,  
Burk,  
Campbell,  
Chamberlain,  
Chittenden,  
Coman,  
O. C. Comstock,  
Curtis,  
David,  
Davis,  
Dayton,

Mr. Deming,  
Fox,  
Flower,  
M. S. Gillett,  
Hartsuff,  
Hatch,  
Hawley,  
Holmes,  
Ingersoll,  
Kilborn,  
Matthews,  
McNair,  
McNeil,  
Moffatt,

Mr. Moran,  
Morton,  
O'Malley,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
G. B. Turner,  
J. W. Turner,  
Tuttle,  
Wright,  
Speaker,

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Mr. H. H. Comstock moved that the bill be amended by striking out the words "three dollars" wherever they occur in the bill and inserting "one dollar and fifty cents," which motion was lost, and

The bill was ordered to be engrossed and read the third time.

Mr. Bacon, by unanimous consent, moved a reconsideration of the vote by which the following resolution was adopted:

*Resolved*, That the use of the Representative Hall be tendered to Rev. W. W. Atterbury, of the Congregational and Presbyterian society, in the forenoon of each Sabbath; and to Rev. Ransom R. Richards, of the Methodist Episcopal Church, in the afternoon, for religious worship, until the first of January next.

The motion to reconsider prevailed, and the question recurring on the adoption of the resolution, it was,

On motion of Mr. Hawley,

Laid on the table.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed, the bill to provide for the payment of officers and members of the legislature, and for other purposes.

On motion of Mr. Smith,

The action of the twentieth rule was suspended, when he asked and obtained leave to introduce a bill to extend the time for the collection of certain taxes in the township of Plainfield, in the county

of Kent, which was read twice and ordered to be engrossed and read the third time.

On motion of Mr. Lovell,

The rules were suspended so as to enable the bill to be read the third time to-day, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. Hawley offered the following resolution:

*Resolved*, (the Senate concurring,) That this legislature will, on Monday, the fifth day of February next, adjourn *sine die*.

On motion of Mr. Waite,

The resolution was laid on the table.

The bill to extend the time for the collection of certain taxes in the township of Plainfield, in the county of Kent, and

The bill to extend the time for the collection of taxes in the township of Jackson, in Jackson county,

Were severally read the third time and passed.

The bill to provide for the payment of officers and members of the legislature, and for other purposes, was read the third time and passed, and the question being on the title, the same was,

On motion of Mr. J. W. Turner,

Amended by striking out therefrom the words, "and for other purposes," and the title thus amended was agreed to.

The following communication was received from the Senate:

SENATE CHAMBER,  
*Lansing, January 9, 1849.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to amend an act entitled "an act to amend an act to provide for the recording of town plats, and for vacating the same in certain cases, approved April 19, 1839," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to amend an act entitled an act to amend an act to provide for the recording of town plats, and for vacating the same in certain cases, approved April 19, 1839, was read twice, and referred to the committee on state affairs.

The hour having arrived which had been designated for going into



the nomination of Senator in Congress, in the place of Lewis Cass, resigned,

On motion of Mr. Hawley,

A call of the House was had, when it was found that the members were all present except Messrs. Ferguson and Tilden, who were absent on leave.

Mr. G. B. Turner moved that all further proceedings under the call be dispensed with, which motion prevailed.

The House then proceeded to nominate a United States Senator, and when the roll was called the Representatives severally rose in their places and voted as follows:

FOR LEWIS CASS:

Mr. Allen,	Mr. Harger,	Mr. Morton,	
Belding,	Hartsuff,	Mosher,	
Cady,	Hatch,	O'Malley,	
Chittenden,	Hawley,	Parkhurst,	
Coman,	Holmes,	Stevens,	
O. C. Comstock,	Ingersoll,	Stoddard,	
Curtis,	Kilborn,	J. W. Turner,	
David,	Lockwood,	Tuttle,	
Davis,	McNair,	Wilkinson,	
Deming,	McNeil,	Wright,	
Flower,	Moran,	Speaker,	
Fox,			34

FOR EDWIN LAWRENCE:

Mr. Buck,	Mr. A. Gillet,	Mr. Mulhollen,	
Coe,	M. S. Gillett,	Salzer,	
Dayton,	Haight,	St. Clair,	
Earl,	Hammond,	Turrill,	
Giddings,	Hobart,	Waite,	15

FOR EPAPHRODITUS RANSOM.

Mr. Andrews,	Mr. Campbell,	Mr. Pennoyer,	
Bacon,	Chamberlain,	Smith,	
Bowne,	H. H. Comstock,	G. B. Turner,	
Burk,	Matthews,		11

FOR DE WITT C. LAWRENCE:

Mr. Lovell,			1
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FOR JOSEPH E. WILLIAMS:

Mr. Moffatt,			1
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Lewis Cass having received a majority of all the votes, was duly nominated by the House as Senator in Congress.

Mr. J. W. Turner moved the appointment of a committee of two to wait on the Senate and inform that body that the House had made

a nomination for Senator, and were ready to now meet in joint convention and compare nominations;

Pending which,

Mr. Buck moved an adjournment, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Morton,
Bacon,	Giddings,	Mulhollen,
Bowne,	A. Gillet,	Pennoyer,
Buck,	M. S. Gillett,	Salzer,
Campbell,	Haight,	Smith,
Chamberlain,	Hammond,	St. Clair,
Coe,	Hobart,	Turrill,
H. H. Comstock,	Matthews,	Waite,
Dayton,	Moffatt,	Speaker,

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## NAYS.

Mr. Allen,	Mr. Flower,	Mr. Moran,
Belding,	Harger,	Mosher,
Burk,	Hartsuff,	O'Malley,
Cady,	Hatch,	Parkhurst,
Chittenden,	Hawley,	Stevens,
Coman,	Holmes,	Stoddard,
O. C. Comstock,	Ingersoll,	G. B. Turner,
Curtis,	Kilborn,	J. W. Turner,
David,	Lockwood,	Tuttle,
Davis,	Lovell,	Wilkinson,
Deming,	McNair,	Wright,
Fox,	McNeil,	

35

The question recurring on the motion to appoint a committee, it prevailed; and

The Speaker appointed Mr. J. W. Turner and Hawley, who, after a short absence, returned and reported that the Senate was not now in session, which report was accepted.

On motion of Mr. Pennoyer,

The House adjourned.

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*Wednesday, January 10, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Moffatt was absent without leave.

Mr. Hobart asked and obtained leave of absence for Mr. Moffatt, for an indefinite time.

Mr. Deming stated that the Sergeant-at-Arms was confined to his lodgings by sickness, and moved that James S. Kingsland be appointed Sergeant-at-Arms, *pro tempore*, which motion prevailed.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Parkhurst, of the board of supervisors of the county of Oakland, relative to county courts; which was referred to the committee on the judiciary.

By Mr. G. B. Turner, of Marshall Parker, in relation to a lost warrant, and praying the issue of a new one to him; which was referred to the committee on claims.

Mr. G. B. Turner also presented a resolution adopted by the supervisors of Cass county, in relation to the collection and return of non-resident taxes; which was referred to the committee on ways and means.

By Mr. Hammond, the petition of the board of supervisors of Eaton county, for an alteration of the tax laws so that taxes may be all collected in the several counties, without being returned to the office of the Auditor General; referred to the committee on ways and means.

By Mr. Stevens, of Thomas Biggam and others, of Wayne county, for the draining of a certain marsh; referred to the committee on internal improvement.

By Mr. Kilborn, of John W. Palmer, for relief for damages arising from breach of a certain contract on the part of the state; referred to the committee on claims.

By Mr. Andrews, of citizens of Van Buren county, for an appropriation of certain non-resident highway taxes on a certain road; referred to the committee on roads and bridges.

By Mr. Deming, of Elisha W. Waite and Gilbert Mann, for changing the name of Henry Mann, to Henry Mann Waite; referred to the committee on state affairs.

By Mr. Fox, of Anthony B. Browne and thirty others, inhabitants of the township of Rives, in Jackson county, residing on the east side of Grand river, for a division of said township; referred to the committee on the organization of townships and counties.

Also, of R. S. Cheney and eighty other inhabitants of the county of Jackson, for an appropriation to assist in establishing a telegraph.

line from Jackson to Lansing; referred to the committee on ways and means.

By Mr. Kilborn, the claim of Henry Birge; referred to the committee on claims.

By Mr. Chittenden, of Horace Church, asking that he may be allowed to take his seat in the House, as a Representative from the county of Washtenaw; referred to the committee on elections.

Mr. J. W. Turner, from the committee yesterday appointed to inform the Senate that the House had made a nomination for Senator in Congress, and were ready to meet them in joint convention to compare nominations, reported that the committee had performed that duty.

Which report was accepted and the committee discharged.

Mr. Morton, from the committee on state affairs, to whom was referred the Senate bill to amend an act entitled an act to provide for the recording of town plats, and for vacating the same in certain cases, approved April 19, 1839, reported the same back without amendment, and recommended its passage.

Which report was accepted, the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. O. C. Comstock, from the committee on education, to whom was referred the petition of the trustees of the Leoni theological institute, asking a loan from the school fund, submitted a report thereon, in writing, which was read, accepted, and the committee discharged from the further consideration of the subject, and

On motion of Mr. Fox,

The report was laid on the table and ordered to be printed.

Mr. Hawley, from the committee on elections, to whom was referred the memorial of N. Buel Eldredge, claiming a seat in this House as Representative from Lapeer, submitted a written report, which was read, accepted,

And the committee discharged from the further consideration of the subject; and

On motion of Mr. G. B. Turner,

The report was laid on the table and ordered to be printed.

Mr. Ferguson, from the committee on the judiciary, submitted the following report, which was read, and,

On motion of Mr. Hawley,

Laid on the table, viz:

The committee on the judiciary to whom was referred the petition of the heirs of Betsey Kingale, beg leave to report that they have had the subject of the petition under consideration, and are of the opinion that the relief sought may be obtained under the provision of chapter seventy-eight, of the revised statutes, and that in the opinion of the committee, the prayer of the petitioners ought not to be granted; and they ask to be discharged from the further consideration of the subject.

Mr. Chamberlain, from the committee on federal relations, to whom was referred the Senate joint resolutions respecting the territories of the United States, reported the same back without amendment, and recommended their adoption.

Mr. Hawley moved that the report be laid on the table, which motion was lost, and

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. G. B. Turner moved that the joint resolutions be referred to the committee of the whole and made the special order for to-morrow.

Mr. Hawley moved to amend the motion so as to make the joint resolutions the special order for next Tuesday, which amendment was rejected, by yeas and nays, as follows:

#### YEAS.

Mr. Allen,	Mr. Flower,	Mr. Moran,
Belding,	Hatch,	Morton,
Cady,	Hawley,	Mosher,
Chittenden,	Holmes,	O'Malley,
Coman,	Ingersoll,	Parkhurst,
Curtis,	Kilborn,	Stoddard,
David,	Lockwood,	Tuttle,
Davis,	McNair,	Wilkinson,
Deming,	McNeil,	Wright,
Fox,		

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#### NAYS.

Mr. Andrews,	Mr. Ferguson,	Mr. Pennoyer,
Bacon,	Giddings,	Salzer,
Bowne,	A. Gillet,	Smith,
Buck,	M. S. Gillett,	St. Clair,
Burk,	Haight,	Stevens,
Campbell,	Hammond,	Tilden,
Chamberlain,	Harger,	G. B. Turner,

Coe,	Hartsuff,	J. W. Turner,
H. H. Comstock,	Hobart,	Turrill,
O. C. Comstock,	Lovell,	Waite,
Dayton,	Matthews,	Speaker,
Earl,	Mulhollen,	

35

On motion of Mr. H. H. Comstock,

A call of the House was had, when it was found that the members were all present except Mr. Moffatt, who was absent on leave.

On motion of Mr. Hawley,

All further proceedings under the call were dispensed with.

The question then recurring on the motion to refer to the committee of the whole, and make the special order for to-morrow, when

Mr. Hawley moved to amend the motion by striking out "made the special order for to-morrow," and insert "placed on the general order," which amendment was lost.

Mr. Hawley then moved to amend the motion by referring the joint resolutions to the committee on the judiciary, which was decided in the negative, by the following vote:

## YEAS.

Mr. Belding,	Mr. Fox,	Mr. Mosher,
Cady,	Harger,	O'Malley,
Chittenden,	Hatch,	Parkhurst,
Coman,	Hawley,	Stevens,
Curtis,	Holmes,	Stoddard,
David,	Ingersoll,	Tuttle,
Davis,	Lockwood,	Wilkinson,
Deming,	McNair,	Wright,
Flower,	Moran,	

26

## NAYS.

Mr. Allen,	Mr. Ferguson,	Mr. Morton,
Andrews,	Giddings,	Mulhollen,
Bacon,	A. Gillet,	Pennoyer,
Bowne,	M. S. Gillett,	Salzer,
Buck,	Haight,	Smith,
Burk,	Hammond,	St. Clair,
Campbell,	Hartsuff,	Tilden,
Chamberlain,	Hobart,	G. B. Turner,
Coe,	Kilborn,	J. W. Turner,
H. H. Comstock,	Lovell,	Turrill,
O. C. Comstock,	Matthews,	Waite,
Dayton,	McNeil,	Speaker,
Earl,		

37

Mr. Lockwood moved an adjournment, but the House refused to adjourn, by yeas and nays, as follows:

## YEAS.

Mr. Belding,  
Cady,  
Chittenden,  
Coman,  
Curtis,  
David,  
Fox,

Mr. Hartsuff,  
Hawley,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,

Mr. McNeil,  
Moran,  
O'Malley,  
Stevens,  
Stoddard,  
Tuttle,

19

## NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Campbell,  
Chamberlain,  
Coe,  
H. H. Comstock,  
O. C. Comstock,  
Davis,  
Dayton,  
Deming,  
Earl,

Mr. Ferguson,  
Flower,  
Giddings,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Harger,  
Hatch,  
Hobart,  
Lovell,  
Matthews,  
McNair,  
Morton,  
Mosher,

Mr. Mulhollen,  
Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Waite,  
Wilkinson,  
Wright,  
Speaker,

44

The question then recurring on Mr. G. B. Turner's motion,

Mr. Ingersoll moved to amend the same by referring the joint resolution to the committee on roads and bridges, which amendment was rejected.

The question was then taken on the motion to refer the joint resolutions to the committee of the whole and make them the special order for to-morrow, and decided in the negative, by the following vote:

## YEAS.

Mr. Allen,  
Bacon,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
Curtis,  
Davis,  
Fox,

Mr. Flower,  
Hartsuff,  
Hatch,  
Hawley,  
Ingersoll,  
Kilborn,  
Lockwood,  
McNair,  
McNeil,  
Moran,

Mr. Morton,  
Mosher,  
O'Malley,  
Stevens,  
Stoddard,  
G. B. Turner,  
J. W. Turner,  
Tuttle,  
Wilkinson,

29

## NAYS.

Mr. Andrews,  
Belding,  
Bowne,  
Burk,

Mr. Earl,  
Ferguson,  
Giddings,  
A. Gillet,

Mr. Matthews,  
Mulhollen,  
Parkhurst,  
Pennoyer,

Chamberlain,	M. S. Gillett,	Salyer,
Coe,	Haight,	Smith,
H. H. Comstock,	Hammond,	St. Clair,
O. C. Comstock,	Harger,	Tilden,
David,	Hobart,	Turrill,
Dayton,	Holmes,	Waite,
Deming,	Lovell,	Speaker,
		34

Mr. H. H. Comstock moved the previous question, which was not demanded by a majority, as follows:

## YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Morton,
Bowne,	Flower,	Mulhollen,
Buck,	Giddings,	Pennoyer,
Burk,	A. Gillet,	Salyer,
Cady,	M. S. Gillett,	Smith,
Campbell,	Haight,	St. Clair,
Chamberlain,	Hammond,	Tilden,
Coe,	Hobart,	Turrill,
H. H. Comstock,	Lovell,	Waite,
Curtis,	Matthews,	Speaker,
Dayton,		
		31

## NAYS.

Mr. Allen,	Mr. Ingersoll,	Mr. Mosher,
Bacon,	Kilborn,	O'Malley,
Belding,	Lockwood,	Parkhurst,
Chittenden,	McNair,	Stevens,
Coman,	McNeil,	Stoddard,
O. C. Comstock,	Harger,	G. B. Turner,
David,	Hartsuff,	J. W. Turner,
Davis,	Hatch,	Tuttle,
Deming,	Hawley,	Wilkinson,
Ferguson,	Holmes,	Wright,
Fox,	Moran,	
		32

Mr. Chittenden moved that the House adjourn, which motion was lost, by the following vote:

## YEAS.

Mr. Cady,	Mr. Harger,	Mr. McNeil,
Chittenden,	Hartsuff,	Moran,
Coman,	Hawley,	O'Malley,
Curtis,	Holmes,	Stevens,
David,	Ingersoll,	Stoddard,
Davis,	Lockwood,	Tuttle,
Fox,		
		19

## NAYS.

Mr. Allen,	Mr. Flower,	Mr. Mulhollen,
Andrews,	Giddings,	Parkhurst,
Bacon,	A. Gillet,	Pennoyer,



Belding,	M. S. Gillett,	Salyer,
Buck,	Haight,	Smith,
Burk,	Hammond,	St. Clair,
Campbell,	Hatch,	Tilden,
Chamberlain,	Hobart,	G. B. Turner,
Coe,	Kilborn,	J. W. Turner,
H. H. Comstock,	Lovell,	Turrill,
O. C. Comstock,	Matthews,	Waite,
Dayton,	McNair,	Wilkinson,
Deming,	Morton,	Wright,
Earl,	Mosher,	Speaker,
Ferguson,		

43

Mr. Hawley moved that the joint resolutions be referred to the committee of the whole, and placed on the general order, which motion was not agreed to, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. Flower,	Mr. Moran,
Belding,	Harger,	Mosher,
Cady,	Hatch,	O'Malley,
Chittenden,	Hawley,	Parkhurst,
Coman,	Holmes,	Stevens,
Curtis,	Ingersoll,	Stodddrd,
David,	Kilborn,	J. W. Turner,
Davis,	Lockwood,	Tuttle,
Deming,	McNair,	Wilkinson,
Fox,	McNeil,	

29

## NAYS.

Mr. Andrews,	Mr. Ferguson,	Mr. Mulhollen,
Bacon,	Giddings,	Pennoyer,
Bowne,	A. Gillet,	Salyer,
Buck,	M. S. Gillett,	Smith,
Burk,	Haight,	St. Clair,
Campbell,	Hammond,	Tilden,
Chamberlain,	Hartsuff,	G. B. Turner,
Coe,	Hobart,	Turrill,
H. H. Comstock,	Lovell,	Waite,
O. C. Comstock,	Matthews,	Wright,
Dayton,	Morton,	Speaker,
Earl,		

34

Mr. G. B. Turner moved that the joint resolution be made the special order for to-morrow, which motion prevailed, by the following vote:

## YEAS,

Mr. Bacon,	Mr. Flower,	Mr. McNeil,
Bowne,	Fox,	Moran,
Cady,	Harger,	Morton,
Chittenden,	Hartsuff,	Mosher,

Coman,	Hatch,	O'Malley,
O. C. Comstock,	Hawley,	Stevens,
Curtis,	Holmes,	Stoddard,
David,	Ingersoll,	G. B. Turner,
Davis,	Kilborn,	J. W. Turner,
Deming,	Lockwood,	Tuttle,
Ferguson,	McNair,	Wilkinson,

33

## NAYS,

Mr. Allen,	Mr. Earl,	Mr. Parkhurst,
Andrews,	Giddings,	Pennoyer,
Belding,	A. Gillet,	Salyer,
Buck,	M. S. Gillett,	Smith,
Burk,	Haight,	St. Clair,
Campbell,	Hammond,	Tilden,
Chamberlain,	Hobart,	Turrill,
Coe,	Lovell,	Waite,
H. H. Comstock,	Matthews,	Wright,
Dayton,	Mulhollen,	Speaker,

30

The Speaker announced Messrs. Ingersoll and Coe, as the committee on the part of the House under the joint resolution relative to revising the joint rules.

The Speaker also appointed Mr. Bowne to fill the vacancy created in the committee on elections, by the death of Mr. Noble.

On motion of Mr. Davis,

The House adjourned.

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*Thursday, January 11, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Tooker.

The roll was called, and the members were all present.

The journal of yesterday was read and approved.

Mr. Chittenden presented the petition of the Michigan Insurance company, for a consolidation of their charter, which was referred to the committee on banks and incorporations.

Mr. Morton, from the committee on state affairs, reported a bill to change the name of Henry Mann, which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Ingersoll, from the committee on printing, made the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz:

The committee on printing, to whom was referred the resolution relative to the journals of the last session, and instructing them to inquire if the contract with the printers of last year did not require them to have such journals ready for distribution prior to the commencement of the present session, beg leave respectfully to report the following facts:

The journals of the last session, we are informed by the Clerk of the House, were placed in the hands of the printers, ready for publication, as early as the month of May last, and that not until the middle of November was the body of the work placed into the Clerk's hands for the purpose of making out the *index* of the same, which was immediately made out for the press by that officer. The committee have also been informed by one of the firm contracting to do the printing, that the journals of the House were in the binder's hands at the commencement of the present session, with the assurance that a sufficient number of volumes for the use of this legislature would be ready for distribution during the first week of the present session. Why they have not yet arrived, the printer above referred to is unable to answer.

In relation to the time specified in the contract with the State Treasurer, in which such printing and binding was to be performed, and the volumes placed in the possession of the proper officer, we are informed by the Treasurer that the present laws on the subject fail to prescribe any limit for the performance of such work, and that the contract bound the printers only in the obligation that they should use all due diligence in the completion of such printing as was enumerated in their bids for the same.

Your committee, therefore, would recommend such amendments to the existing law, as will bind the contractors for the public printing to some period of time in which such printing shall be performed, and which will ensure the delivery of the legislative documents in the department of state, within six months after the adjournment of the legislature. To meet this case, your committee will, on some future day, offer the necessary amendments.

All of which is respectfully submitted.

Mr. G. B. Turner, from the committee on claims, reported a joint resolution authorizing the Auditor General to draw a certain warrant, and

'A joint resolution relative to the claim of John W. Palmer.

Which were severally read twice, referred to the committee of the whole, and placed on the general order, and ordered to be printed.

The following communication was announced.

INTERNAL IMPROVEMENT OFFICE, }  
Lansing, January 10, 1849. }

HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

I transmit herewith a copy of the annual report of the board of internal improvement for the fiscal year 1848, ending the 30th of November last.

Yours, Very Respectfully,

GEO. B. COOPER,  
*Ch'n. Board of Internal Imp't.*

The following communication was announced:

OFFICE OF THE ATTORNEY GENERAL, }  
Lansing, January 11, 1849. }

HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

SIR:—I herewith transmit to you a copy of the annual report of this office, printed for the use of the legislature, as required by law.

I am, very truly,

Yours, &c.,

GEO. V. N. LOTHROP,  
*Attorney General.*

On motion of Mr. Ingersoll,

The annual report of the Attorney General was referred to the committee on the judiciary.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 9, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith "concurrent resolution relative to the election of United States Senator," which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The Senate amendment to the concurrent resolution relative to the election of a United States Senator was concurred in.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 10, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed by the Senate to return herewith “a bill to extend the time for the collection of certain taxes in the township of Plainfield, in the county of Kent; also,

“A bill to provide for the payment of the officers and members of the legislature,” and to respectfully inform you that the Senate have passed the same.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bills returned with the foregoing communication were ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 10, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith, “a bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer, in the county of Lapeer,” which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer, in the county of Lapeer, was read twice and referred to the committee on the judiciary.

Mr. Ferguson gave notice that on some future day he would ask leave to introduce a bill to amend the several acts relating to the village of Marshall.

Mr. Ingersoll gave notice that he would on some future day ask leave to introduce a bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg.

Mr. Hammond, by unanimous consent, previous notice not having been given, asked and obtained leave to introduce a bill to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton, which was read twice and ordered to be engrossed for a third reading.

On motion of Mr. Hammond,

The rules were suspended so as to enable the bill to be read a third time to day, and the engrossment having been dispensed with the bill was placed on the order of bills for a third reading.

Mr. Parkhurst gave notice that on some future day he would ask leave to introduce a bill requiring bachelors over thirty years of age to pay an extra tax of three dollars per annum for the support of indigent widows and orphans, and

A bill for the reduction of the price of certain school lands in the county of Oakland.

Mr. Fox offered the following concurrent resolution, which under the rule, lay on the table at least one day, viz:

*Resolved, by the Senate and House of Representatives of the State, of Michigan,* That the Secretary of State be and he is hereby instructed to furnish each of the officers and members of the present legislature with a copy of the session laws of 1846 and 1847.

Mr. O. C. Comstock, by unanimous consent, previous notice not having been given, asked and obtained leave to introduce a joint resolution relative to publishing the reports of the superintendent of public instruction; which was read twice, and

On motion of Mr. Hawley,

Referred to the committee of the whole and placed on the general order.

Mr. Ferguson, by unanimous consent, previous notice not having been given, asked and obtained leave to introduce a joint resolution in regard to a state convention, which was read twice, and

On motion of Mr. Hawley,

Referred to the select committee on the subject of a convention to revise the constitution.

Mr. Cady, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, which was read twice and ordered to be engrossed and read the third time.

On motion of Mr. Cady,

The rules were suspended so as to enable the bill to be read the third time to-day, and the engrossment having been dispensed with it was placed on the order of bills for a third reading.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate, which was read twice, and

On motion of Mr. Coe,

Referred to the committee on the judiciary.

Mr. Allen, pursuant to previous notice, asked and obtained leave to introduce a bill to extend the time for the collection of taxes in the county of Clinton, which was read twice, when

Mr. Allen moved a suspension of the rule, so that the bill might receive its third reading to-day, which motion was lost, two-thirds not voting in the affirmative.

On motion of Mr. G. B. Turner,

The bill was referred to the committee on ways and means.

On motion of Mr. Kilborn,

*Resolved*, That the committee on internal improvement be, and they are hereby instructed to give notice to each and every special commissioner (appointed by the Governor during the year ending December 31, 1848, as provided for in the several acts of the session of that year, making appropriations of internal improvement lands, for laying out and improving roads, constructing bridges, and for other purposes,) requiring said commissioners forthwith to render to said committee full and correct reports, stating the kind of labor contracted for, the name of each contractor, the number of rods, acres or miles let to each, with cost per rod, acre or mile, for each kind of labor contracted for, names of contractors who have complied with the conditions of their contract, form of contract, the names of those contractors whose jobs have been accepted, the condition of those public works under contract and not completed, the amount of warrants by them drawn, dates, and to whom payable, together with a plat or profile statement of the road, or public work under his direction, exhibiting the section or locality where any portion of the appropriation has been expended, the kind of improvement, noting swamps, &c., with such other information connected therewith, as the committee may deem important, and that said committee have

power to send for persons and papers, and report to this House, as soon as practicable.

On motion of Mr. Bacon,

The following resolution was taken from the table:

*Resolved*, That the use of the Representative Hall be tendered to Rev. W. W. Atterbury, of the Congregational and Presbyterian society, in the forenoon of each Sabbath; and to Rev. Ransom R. Richards of the Methodist Episcopal church, in the afternoon, for religious worship, until the first of January next.

Mr. Hawley moved that the resolution be referred to the committee on education, which motion was lost.

Mr. Ingersoll offered the following, as a substitute for the resolution:

*Resolved*, That the board of state auditors, until further ordered, are hereby authorized to allow the use of the Hall of Representatives, on Sabbaths, to such christian denominations as may seem proper to them:

Pending the question,

On motion of Mr. H. H. Comstock,

The whole subject was laid on the table.

Mr. Morton, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company, which was read twice, when

Mr. Tilden moved a suspension of the twenty-first rule, which motion did not prevail, and

On motion of Mr. Belding,

The bill was referred to the committee on banks and incorporations.

The bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, was read the third time and passed by a two-thirds vote.

The bill to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton, was read the third time and passed.

The House having arrived at the special order of the day, took up for consideration the joint resolution respecting the territories of the United States, when

Mr. Hawley moved to amend the fifth line by striking out there-



from the words, "ordinance of 1787," and inserting "constitution of the United States."

Mr. Coe moved to amend the amendment by adding to words proposed to be inserted, "and the Buffalo platform," which motion was lost.

The question then recurring on the motion made by Mr. Hawley, it was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Fox,	Mr. Moran,
Belding,	Harger,	Mosher,
Cady,	Hartsuff,	O'Malley,
Chittenden,	Hatch,	Parkhurst,
Coman,	Hawley,	Stevens,
Curtis,	Holmes,	Stoddard,
David,	Ingersoll,	Tuttle,
Davis,	Kilborn,	Wilkinson;
Deming,	Lockwood,	Wright,
Flower,	McNeil,	

29

## NAYS.

Mr. Andrews,	Mr. Earl,	Mr. Mulhollen,
Bacon,	Giddings,	Pennoyer,
Bowne,	A. Gillet,	Salyer,
Buck,	M. S. Gillett,	Smith,
Burk,	Haight,	St. Clair,
Campbell,	Hammond,	Tilden,
Chamberlain,	Hobart,	G. B. Turner,
Coe,	Lovell,	J. W. Turner,
H. H. Comstock,	Matthews,	Turrill,
O. C. Comstock,	McNair,	Waite,
Dayton,	Morton,	Speaker,

33

Mr. Hawley moved to amend the resolution by inserting after "acquired," in the tenth line, the words, "lying north of the parallel of thirty-six degrees and thirty minutes north latitude."

Mr. Chamberlain moved to amend the proposed amendment, by striking out all after and including the word "parallel," and inserting "equator," which motion was lost, and

The question recurring on Mr. Hawley's amendment, it was rejected, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. Harger,	Mr. O'Malley,
Belding,	Hawley,	Stoddard,
Coman,	Holmes,	Tuttle,
David,	Moran,	Wilkinson,
Davis,	Mosher,	Wright,

15

## NAYS.

Mr. Andrews,	Mr. Flower,	Mr. McNair,
Bacon,	Fox,	McNeil,
Bowne,	Giddings,	Morton,
Buck,	A. Gillet,	Mulhollen,
Burk,	M. S. Gillett,	Pennoyer,
Cady,	Haight,	Salyer,
Campbell,	Hammond,	Smith,
Chamberlain,	Hartsuff,	St. Clair,
Coe,	Hatch,	Stevens,
H. H. Comstock,	Hobart,	Tilden,
O. C. Comstock,	Ingersoll,	G. B. Turner,
Curtis,	Kilborn,	J. W. Turner,
Dayton,	Lockwood,	Turrill,
Deming,	Lovell,	Waite,
Earl,	Matthews,	Speaker,
Ferguson,		

46

Mr. Hawley moved to amend the resolution by striking out of the eighth and ninth lines the words "and it is their duty;" pending which,

Mr. G. B. Turner moved the previous question, which was demanded by a majority, as follows:

## YEAS.

Mr. Allen,	Mr. Earl,	Mr. Morton,
Andrews,	Ferguson,	Mulhollen,
Bacon,	Giddings,	Parkhurst,
Bowne,	A. Gillet,	Pennoyer,
Buck,	M. S. Gillett,	Salyer,
Burk,	Haight,	Smith,
Cady,	Hammond,	St. Clair,
Campbell,	Harger,	Tilden,
Chamberlain,	Hobart,	G. B. Turner,
Coe,	Lovell,	Turrill,
H. H. Comstock,	Matthews,	Waite,
Dayton,	McNeil,	Speaker,

36.

## NAYS.

Mr. Belding,	Mr. Fox,	Mr. Moran,
Chittenden,	Hartsuff,	Moaher,
Coman,	Hatch,	O'Malley,
Curtis,	Hawley,	Stevens,
O. C. Comstock,	Holmes,	Stoddard,
David,	Ingersoll,	J. W. Turner,
Davis,	Kilborn,	Tuttle,
Deming,	Lockwood,	Wilkinson,
Flower,	McNair,	Wright,

27

And the main question was ordered to be now put.

The question then being on the pending amendment, which strikes.

out the words "and it is their duty," it was decided in the negative.

Mr. Hawley moved an adjournment, but the House refused to adjourn, by the following vote:

## YEAS.

Mr. Allen,  
Belding,  
Cady,  
Chittenden,  
Coman,  
Curtis,  
David,  
Davis,  
Deming,  
Flower,

Mr. Fox,  
Harger,  
Hartsuff,  
Hatch,  
Hawley,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,

Mr. McNeil,  
Moran,  
O'Malley,  
Parkhurst,  
Stevens,  
Stoddard,  
Tuttle,  
Wilkinson,  
Wright,

28

## NAYS.

Mr. Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Campbell,  
Chamberlain,  
Coe,  
H. H. Comstock,  
O. C. Comstock,  
Dayton,  
Mr. Earl,

Mr. Ferguson,  
Giddings,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Hobart,  
Lovell,  
Matthews,  
McNair,  
Morton,  
Mosher,

Mr. Mulhollen,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Waite,  
Speaker,

35

The main question being on ordering the joint resolutions to be read the third time, was then put and carried, by yeas and nays, as follows:

## YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Campbell,  
Chamberlain,  
Coe,  
H. H. Comstock,  
O. C. Comstock,  
Dayton,

Mr. Earl,  
Ferguson,  
Giddings,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Hartsuff,  
Hobart,  
Lovell,  
Matthews,  
McNeil,

Mr. Morton,  
Mulhollen,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Waite,  
Speaker,

36

## NAYS.

Mr. Belding,	Mr. Fox,	Mr. Moran,
Cady,	Harger,	Moher,
Chittenden,	Hatch,	O'Malley,
Coman,	Hawley,	Parkhurst,
Curtis,	Holmes,	Stevens,
David,	Ingersoll,	Stoddard,
Davis,	Kilborn,	Tuttle,
Deming,	Lockwood,	Wilkinson,
Flower,	McNair,	Wright,
		27

Mr. Hawley moved that the joint resolutions be committed to the committee on the judiciary with instructions to report the following as a substitute :

*Whereas*, It is an indisputed principle of international laws, that the municipal laws of a conquered country, existing at the time of its conquest, remain in force until changed by the conqueror;

*And whereas*, at the time of the late conquest of New Mexico and California slavery was, by the laws of those countries, prohibited and did not exist;

*And whereas*, the Congress of the United States, under the constitution thereof, cannot establish slavery anywhere when, by the laws of the place, it is prohibited; therefore,

*Resolved by the Senate and House of Representatives of the State of Michigan*, That for the purpose of prohibiting slavery in those countries, it is unnecessary for Congress to legislate upon the subject.

Mr. Ingersoll moved to amend the instructions, by striking out the proposed substitute, and insert the following: "insert after California," in the second line of the resolution, the words, "a war first declared and waged by the overt acts of Mexico, against the government of the United States;"

Pending which,

Mr. H. H. Comstock moved the previous question, which was demanded by a majority, and the main question was now ordered to be put.

The question then being on the amendment to the instructions moved by Mr. Ingersoll, it did not prevail.

The question then recurring on Mr. Hawley's motion to commit with instructions, it was decided in the negative, by the following vote:

## YEAS.

Mr. Allen, Belding, Cady, Chittenden, Coman, Curtis, David, Davis, Deming,	Mr. Flower, Fox, Harger, Hatch, Hawley, Holmes, Ingersoll, Lockwood,	Mr. Moran, Mosher, O'Malley, Stevens, Stoddard, Tuttle, Wilkinson, Wright,	25
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## NAYS.

Mr. Andrews, Bacon, Bowne, Buck, Burk, Campbell, Chamberlain, Coe, H. H. Comstock, O. C. Comstock, Dayton, Earl, Ferguson,	Mr. Giddings, A. Gillet, M. S. Gillett, Haight, Hammond, Hartsuff, Hobart, Lovell, Matthews, McNair, McNeil, Morton,	Mr. Mulhollen, Parkhurst, Pennoyer, Salzer, Smith, St. Clair, Tilden, G. B. Turner, J. W. Turner, Turrill, Waite, Speaker	37
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Mr. Hawley moved an adjournment, which was lost, by yeas and nays, as follows:

## YEAS.

Mr. Allen, Belding, Cady, Chittenden, Coman, Curtis,	Mr. David, Davis, Deming, Flower, Harger, Hawley,	Mr. O'Malley, Parkhurst, Stevens, Stoddard, Tuttle,	17
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## NAYS.

Mr. Andrews, Bacon, Bowne, Buck, Burk, Campbell, Chamberlain, Coe, H. H. Comstock, O. C. Comstock, Dayton, Earl, Ferguson,	Mr. M. S. Gillett, Haight, Hammond, Hartsuff, Hatch, Hobart, Holmes, Ingersoll, Kilborn, Lockwood, Lovell, Matthews, McNair,	Mr. Morton, Mosher, Mulhollen, Pennoyer, Salzer, Smith, St. Clair, Tilden, G. B. Turner, J. W. Turner, Turrill, Waite, Wilkinson,
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Fox,  
Giddings,  
A. Gillet,

McNeil,  
Moran,

Wright,  
Speaker,

46

The joint resolutions were then read the third time, and passed, by the following vote:

## YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Campbell,  
Chamberlain,  
Chittenden,  
Coe,  
H. H. Comstock,  
O. C. Comstock,  
Dayton,  
Deming,  
Earl,  
Ferguson,

Mr. Flower,  
Fox,  
Giddings,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Hartsuff,  
Hatch,  
Hobart,  
Ingersoll,  
Lovell,  
Matthews,  
McNair,  
McNeil,

Mr. Morton,  
Mulhollen,  
Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stevens,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Speaker,

46

## NAYS.

Mr. Belding,  
Cady,  
Coman,  
Curtis,  
David,  
Davis,

Mr. Harger,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
Moran,

Mr. Mosher,  
O'Malley,  
Stoddard,  
Wilkinson,  
Wright,

17

Mr. Ingersoll moved to amend the title by striking out all after "resolutions," and inserting "instructing our present Senators and Representatives in Congress to vote as they have ever heretofore done, in favor of free territory, and against the institution of slavery;" pending which,

Mr. Chittenden moved that the House adjourn, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,  
Bowne,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
Curtis,  
David,  
Earl,  
Flower,

Mr. Giddings  
A. Gillet,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,

Mr. Matthews,  
McNair,  
McNeil,  
Moran,  
Salzer,  
Smith,  
Stevens,  
J. W. Turner,  
Tuttle,

28

## NAYS.

Mr. Allen,	Mr. Fox,	Mr. Parkhurst,
Bacon,	Ferguson,	Pennoyer,
Belding,	M. S. Gillett,	St. Clair,
Buck,	Haight,	Stoddard,
Burk,	Hatch,	Tilden,
Chamberlain,	Kilborn,	G. B. Turner,
Coe,	Lockwood,	Turrill,
H. H. Comstock,	Lovell,	Waite,
O. C. Comstock,	Morton,	Wilkinson,
Davis,	Mosher,	Wright,
Dayton,	Mulhollen,	Speaker,
Deming,	O'Malley,	35

Mr. Hawley moved to lay the bill on the table, which motion was lost, and

The question recurring on the motion of Mr. Ingersoll, to amend the title,

Mr. J. W. Turner moved to amend the amendment by striking out therefrom the words "as they have heretofore done," which motion did not prevail.

The question then being on the amendment to the title, it was rejected, by the following vote:

## YEAS.

Mr. Allen,	Mr. Hawley,	Mr. Mosher,
Belding,	Holmes,	O'Malley,
Cady,	Ingersoll,	Parkhurst,
Coman,	Kilborn,	Stoddard,
Curtis,	Lockwood,	Tuttle,
Davis,	McNeil,	Wilkinson,
Deming,	Moran,	Wright,
Harger,		22

## NAYS.

Mr. Andrews,	Mr. Ferguson,	Mr. Morton,
Bacon,	Flower,	Mulhollen,
Bowne,	Fox,	Pennoyer,
Buck,	Giddings,	Salter,
Burk,	A. Gillett,	Smith,
Campbell,	M. S. Gillett,	St. Clair,
Chamberlain,	Haight,	Stevens,
Coe,	Hammond,	Tilden,
H. H. Comstock,	Hatch,	G. B. Turner,
O. C. Comstock,	Hobart,	J. W. Turner,
David,	Lovell,	Turrill,
Dayton,	Matthews,	Waite,
Earl,	McNair,	Speaker,
		39

The original title was then agreed to.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to extend the time for the collection of certain taxes in the township of Plainfield, in the county of Kent; and

A bill to provide for the payment of officers and members of the legislature.

On motion of Mr. Buck,

The House adjourned.

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*Friday, January 12, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Moffatt was absent on leave, and Messrs. Earl and Flower were absent without leave.

Mr. Curtis asked and obtained leave of absence for Mr. Flower for an indefinite time.

Mr. Lovell for Mr. Earl as above.

On motion of Mr. Hawley,

The rule requiring the journal to be read, was suspended.

#### PETITIONS PRESENTED.

By Mr. Buck, of J. G. Waite and ninety-two others, citizens of St. Joseph county, for the extension of the Southern railroad, and

Of J. R. Williams and one hundred and seven others, of St. Joseph county, for the same; which petitions were referred to the committee on ways and means.

By Mr. M. S. Gillett, of John S. Heath and others, for the organization of Huron county, into a township, and to attach the same to Saginaw county for judicial purposes; referred to the committee on the organization of townships and counties.

By Mr. Allen, of Oliver Doty and thirty-seven others, of the township of Eagle, in Clinton county, for the abolition of county courts, which was referred to the committee on the judiciary.

By Mr. Chittenden, of H. S. Roberts and others, late officers of the first regiment of Michigan volunteers, for compensation while recruit-



ing, prior to being mustered into the service of the United States; referred to the committee on ways and means.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the petition of B. B. Kercheval and others, for the incorporation of the Peninsula bank, submitted a written report thereon, which was read, accepted, and the committee discharged from the further consideration of the subject.

Mr. G. B. Turner moved that the report be laid on the table and ordered to be printed.

Mr. Deming moved to amend the motion by inserting "one thousand copies" before the word "ordered," which motion prevailed, and

The question recurring on the motion as amended,

It was agreed to.

Mr. Ferguson, from the committee on the judiciary, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee on the judiciary, to whom was referred the resolutions instructing said committee to enquire into the expediency of amending the act exempting a homestead from forced sale so that the exemption may include eighty instead of forty acres; and also enquire into the expediency of abolishing all laws for the collection of debts to the amount of twenty dollars, would beg leave to report that they have had the subject under consideration, and are of the opinion that it would be inexpedient to adopt the suggestions contained in the resolutions, and they recommend that the House take no action on the subject.

Mr. Ferguson, from the same committee, to whom was referred the Senate bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer, in the county of Lapeer, reported the same back with sundry amendments.

Which report was accepted, and the committee discharged from the further consideration of the subject, and the bill and amendments were referred to the committee of the whole, and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred a bill to amend certain provisions of chapter ninety-three of the revised statutes of 1846, and in relation thereto, and

A bill to amend chapter ninety-two of an act entitled an act for re-

vising and consolidating the general statutes of the state of Michigan approved May 18, 1846, and in relation thereto;

Reported the same back without amendment, which report was accepted, the committee discharged from the further consideration of the subject, and the bills were referred to the committee of the whole, placed on the general order, and ordered to be printed.

The following message was received from the Senate :

SENATE CHAMBER,  
Lansing, January 11, 1849. }

*To the Speaker of the House of Representatives :*

SIR :—I am instructed by the Senate to respectfully inform you that Mr. Griswold has been appointed a committee on the part of the Senate, under the "joint resolution relative to revising the joint rules."

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg, which was read twice and referred to the committee on banks and incorporations.

Mr. Ferguson, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Marshall, and for other purposes, which was read twice and referred to the committee on banks and incorporations.

Mr. G. B. Turner, pursuant to previous notice, asked and obtained leave to introduce a joint resolution proposing amendments to the constitution relative to biennial sessions of the legislature, and

A joint resolution proposing an amendment to the constitution relative to certain public officers;

Which were severally read twice, and referred to the select committee on the subject of a convention for revising the constitution.

On motion of Mr. Morton,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of a law to allow compensation to witnesses in behalf of the people in criminal cases.

On motion of Mr. Andrews,

*Resolved*, That the committee on elections, to whom was referred

certain papers in reference to a contested seat in this House, claimed by Evert B. Dyckman, as a Representative from Kalamazoo, be, and are hereby authorized and empowered to send for persons and papers; also to examine, or to cause to be examined, the ballots cast for and against the said Dyckman in the township of Kalamazoo, and any other papers or statements in relation to said contested seat that they may deem important.

Mr. Ferguson presented certain resolutions of the board of supervisors of Calhoun county, relative to the claims of the treasurer and sheriff of said county, for certain services growing out of the sales and redemption of tax lands, and on his motion, so much of the resolutions as referred to the account of the treasurer was referred to the committee on state affairs, and so much as relates to the account of the sheriff, was referred to the committee on the judiciary.

On motion of Mr. Pennoyer,

The following resolution was taken from the table, viz:

*Resolved*, (the Senate concurring) That this legislature will, on Monday the fifth day of February next, adjourn *sine die*.

Mr. Ingersoll moved that the further consideration of the resolution be indefinitely postponed, which motion prevailed, by the following vote:

## YEAS.

Mr. Allen,  
Andrews,  
Bowne,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
O. C. Comstock,  
Curtis,  
David,  
Dayton,

Mr. Fox,  
Giddings,  
A. Gillet,  
Hartsuff,  
Hobart,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
McNair,  
McNeil,

Mr. Morton,  
O'Malley,  
Parkhurst,  
Salter,  
Stoddard,  
Tilden,  
J. W. Turner,  
Waite,  
Wright,  
Speaker,

32

## NAYS.

Mr. Bacon,  
Belding,  
Buck,  
Burk,  
Cady,  
Chamberlain,  
H. H. Comstock,  
Davis,  
Deming,  
M. S. Gillett,

Mr. Haight,  
Hammond,  
Harger,  
Hatch,  
Hawley,  
Holmes,  
Matthews,  
Moran,  
Mosher,

Mr. Mulhollen,  
Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
G. B. Turner,  
Turrill,  
Tuttle,  
Wilkinson,

23

On motion of Mr. Morton,

*Resolved*, That the board of state auditors grant the use of the Hall of the House of Representatives, for the present year, to such religious societies as will, in their opinion, best accommodate the citizens of Lansing.

Mr. Ingersoll offered the following resolution:

*Resolved*, That after the fifth day of February, no new business for legislative action shall be received by this House.

On motion of Mr. H. H. Comstock,

The resolution was laid on the table.

On motion of Mr. Fox,

The following joint resolution was taken from the table:

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the Secretary of State be, and he is hereby instructed to furnish each of the officers and members of the present legislature with a copy of the session laws of 1846 and 1847.

On motion of Mr. Deming,

The joint resolution was amended by adding the words, "and revised statutes of 1838."

On motion of Mr. Ingersoll,

The joint resolution was further amended by adding thereto the words "as far as the same can be supplied from his office without reprinting."

The resolution as amended, was then adopted.

On motion of Mr. H. H. Comstock,

*Resolved*, That the committee on the judiciary be, and they are hereby requested to report a bill providing for the infliction of capital punishment for the commission of murder in the first degree.

Mr. Kilborn gave notice that he would on some future day ask leave to introduce a bill making the seal of a notary public evidence in any court in the state of Michigan, of the election of the parties to rescind contracts for real estate.

On motion of Mr. H. H. Comstock,

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of providing by law for making it a state prison offence for any person to give, furnish or sell Indians spirituous liquors and intoxicating drinks, or to export liquor from this state for the avowed purpose of furnishing it to Indians.

The following communication was received:

EXECUTIVE OFFICE, }  
Lansing, January 12, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the payment of the officers and members of the legislature; and also,

An act to extend the time for the collection of certain taxes in the township of Plainfield, in the county of Kent.

EPAPHRO. RANSOM.

The House then resolved itself into a committee of the whole on the general order, Mr. Hawley in the chair, and after spending some time thereon, the committee rose and by their chairman reported back to the House, without amendment,

A bill to amend an act entitled an act to provide for the recording of town plats, and for vacating the same in certain cases, approved April 19, 1839; and

A joint resolution relative to publishing the reports of the superintendent of public instruction.

And also reported back with amendments, in which the concurrence of the House was asked,

A bill to change the name of Henry Mann; and

A joint resolution relative to the claim of John W. Palmer.

The House took up the bill to amend an act entitled an act to amend an act to provide for the recording of town plats, and for vacating the same in certain cases, approved April 19, 1839, when it was,

On motion of Mr. Coe,

Amended by adding the following to stand as section four, viz:

"Sec. 4. All town plats recorded since the passage of the act hereby amended, shall be deemed as valid and effectual in law, as if the same had been recorded under the provision of said act as hereby amended."

The bill was then ordered to be read a third time.

The joint resolution relative to publishing the report of the superintendent of public instruction being before the House,

Mr. H. H. Comstock moved to amend the same by striking out the words "not less than three thousand annually," which amendment was not agreed to, and

The joint resolution was ordered to be engrossed and read the third time.

The amendment reported by the committee of the whole to the bill to change the name of Henry Mann, was concurred in, and the bill was ordered to be engrossed and read the third time.

The amendment reported by the committee of the whole to the joint resolution relative to the claim of John W. Palmer, which amendment strikes out of the second line the word "equitable," and inserts "legal," was non-concurred in.

Mr. J. W. Turner moved to recommit the bill, to the committee on claims, with instructions to amend the same by striking out of the second line the word "equitable," and insert the word "legal;" pending which,

Mr. Coe moved that the House adjourn until Monday morning at ten o'clock, which motion was decided in the negative by the following vote:

## YEAS.

Mr. Bowne,  
Campbell,  
Chamberlain,  
Coe,

Mr. H. H. Comstock, Mr. Hatch,  
Dayton, O'Malley,  
Giddings, Salyer,  
Hammond,

11

## NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Buck,  
Burk,  
Cady,  
Chittenden,  
Coman,  
O. C. Comstock,  
Curtis,  
David,  
Davis,  
Deming,  
Ferguson,  
Fox,  
A. Gillet,

Mr. M. S. Gillett,  
Haight,  
Harger,  
Hartsuff,  
Hawley,  
Hobart,  
Homles,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNair,  
McNeil,  
Moran,  
Morton,  
Mosher,

Mr. Mulhollen,  
Parkhurst,  
Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Wright,  
Speaker,

50

On motion of Mr. J. W. Turner,

The House adjourned, to meet again at half past one o'clock this afternoon.

## AFTERNOON SESSION.

*Half past one o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The question before the House being on recommitting the joint resolution relative to the claim of John W. Palmer, to the committee on claims, with instructions to strike out of the second line the word "equitable" and insert "legal," it was decided in the negative.

Mr. Lovell moved that the vote by which the House refused to concur in the amendment to the joint resolution reported by the committee of the whole, be reconsidered, which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Andrews,	Mr. Deming,	Mr. Mulhollen,	
Bowne,	Harger,	O'Malley,	
Buck,	Hobart,	Parkhurst,	
Burk,	Kilborn,	Pennoyer,	
Campbell,	Lockwood,	Smith,	
H. H. Comstock,	Lovell,	J. W. Turner,	
O. C. Comstock,	McNair,	Wilkinson,	
Davis,	McNeil,	Waite,	
Dayton,	Mosher,	Wright,	27

## NAYS.

Mr. Allen,	Mr. A. Gillet,	Mr. Salyer,	
Belding,	M. S. Gillett,	St. Clair,	
Chamberlain,	Haight,	Stevens,	
Coe,	Hawley,	Stoddard,	
Coman,	Holmes,	G. B. Turner,	
David,	Matthews,	Turrill,	
Fox,	Moran,	Tuttle,	
Giddings,	Morton,	Speaker,	24

The question then recurring on concurring in the amendment, it was non-concurred in, by the following vote:

## YEAS.

Mr. Bacon,	Mr. Davis,	Mr. Mulhollen,	
Belding,	Deming,	Parkhurst,	
Bowne,	Harger,	Pennoyer,	
Buck,	Hartsuff,	Smith,	
Burk,	Ingersoll,	St. Clair,	
Campbell,	Lovell,	Stevens,	
Chittenden,	McNair,	J. W. Turner,	
Coman,	McNeil,	Waite,	
H. H. Comstock,	Moran,	Wilkinson,	
Dayton,	Morton,	Wright,	30

## NAYS.

Mr. Allen,	Mr. A. Gillet,	Mr. Matthews,
Andrews,	M. S. Gillett,	Mosher,
Cady,	Haight,	O'Malley,
Chamberlain,	Hammond,	Salyer,
Coe,	Hatch,	Stoddard,
O. C. Comstock,	Hawley,	Tilden,
Curtis,	Hobart,	G. B. Turner,
David,	Holmes,	Turrill,
Fox,	Kilborn,	Tuttle,
Giddings,	Lockwood,	Speaker, 30

Mr. Pennoyer moved that the joint resolution be laid on the table, which motion was lost, and

The joint resolution was ordered to be engrossed and read the third time.

Mr. Ingersoll moved that the action of the thirty-ninth rule be suspended, so as to enable certain communications from the Senate to be taken up, which motion was decided in the negative, by the following vote, two-thirds not voting in the affirmative:

## YEAS.

Mr. Allen,	Mr. Ferguson,	Mr. Mosher,
Belding,	Harger,	Morton,
Cady,	Hartsuff,	O'Malley,
Chittenden,	Hatch,	Parkhurst,
Coman,	Holmes,	Stevens,
O. C. Comstock,	Kilborn,	Stoddard,
Curtis,	Lockwood,	J. W. Turner,
David,	McNair,	Tuttle,
Davis,	McNeil,	Wilkinson,
Deming,	Moran,	Wright, 31
Fox,		

## NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Pennoyer,
Bacon,	A. Gillet,	Salyer,
Bowne,	M. S. Gillett,	Smith,
Buck,	Haight,	St. Clair,
Burk,	Hammond,	Tilden,
Campbell,	Hawley,	G. B. Turner,
Chamberlain,	Hobart,	Turrill,
Coe,	Lovell,	Waite,
H. H. Comstock,	Matthews,	Speaker, 29
Dayton,	Mulhollen,	

Mr. Hawley moved that the last vote be reconsidered, which motion did not prevail.

Mr. J. W. Turner moved that the House adjourn to meet at eight o'clock to-morrow morning.



Mr. H. H. Comstock moved to amend the motion by striking out "eight" and inserting "ten," which amendment was rejected, by the following vote :

## YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Mulhollen,
Bacon,	A. Gillet,	Pennoyer,
Bowne,	M. S. Gillett,	Salzer,
Buck,	Haight,	Smith,
Burk,	Hammond,	St. Clair,
Campbell,	Hartsuff,	Tilden,
Chamberlain,	Hobart,	G. B. Turner,
Coe,	Lovell,	Turrill,
H. H. Comstock,	Matthews,	Waite,
Dayton,		

28

## NAYS.

Mr. Allen,	Mr. Fox,	Mr. Morton,
Belding,	Harger,	Mosher,
Cady,	Hatch,	O'Malley,
Chittenden,	Hawley,	Parkhurst,
Coman,	Holmes,	Stevens,
Curtis,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	J. W. Turner,
David,	Lockwood,	Tuttle,
Davis,	McNair,	Wilkinson,
Deming,	McNeil,	Wright,
Ferguson,	Moran,	Speaker,

33

Mr. A. Gillet moved to amend the motion by striking out "eight" and inserting "half past nine," which motion was decided in the negative by, yeas and nays, as follows:

## YEAS.

Mr. Andrews,	Mr. Dayton,	Mr. Mulhollen,
Bacon,	Giddings,	Salzer,
Bowne,	A. Gillet,	Smith,
Buck,	M. S. Gillett,	St. Clair,
Burk,	Haight,	Tilden,
Campbell,	Hammond,	G. B. Turner,
Chamberlain,	Hobart,	Turrill,
Coe,	Lovell,	Waite,
H. H. Comstock,	Matthews,	

26

## NAYS.

Mr. Allen,	Mr. Harger,	Mr. Mosher,
Belding,	Hawley,	O'Malley,
Cady,	Hartsuff,	Parkhurst,
Coman,	Hatch,	Pennoyer,
O. C. Comstock,	Holmes,	Stevens,
Curtis,	Ingersoll,	Stoddard,

David,	Kilborn,	J. W. Turner,
Davis,	Lockwood,	Tuttle,
Deming,	McNair,	Wilkinson,
Ferguson,	Moran,	Wright,
Fox,	Morton,	Speaker,
		33

Mr. J. W. Turner then withdrew his motion, and moved that the House adjourn till half past eight o'clock to-morrow morning.

Mr. Chamberlain moved to amend the motion so as to adjourn till Monday morning, at ten o'clock, which motion was lost, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Dayton,	Mr. Pennoyer,
Bacon,	Giddings,	Salzer,
Bowne,	A. Gillet,	Smith,
Buck,	M. S. Gillett,	St. Clair,
Burk,	Hammond,	G. B. Turner,
Chamberlain,	Hobart,	Waite,
Coe,	Matthews,	Speaker,
H. H. Comstock,		22

## NAYS.

Mr. Allen,	Mr. Haight,	Mr. Morton,
Belding,	Harger,	Mosher,
Cady,	Hartsuff,	Mulhollen,
Campbell,	Hatch,	O'Malley,
Chittenden,	Hawley,	Parkhurst,
Coman,	Holmes,	Stevens,
O. C. Comstock,	Ingersoll,	Stoddard,
Curtis,	Kilborn,	Tilden,
David,	Lockwood,	J. W. Turner,
Davis,	Lovell,	Turrill,
Deming,	McNair,	Tuttle,
Fox,	McNeil,	Wilkinson,
Ferguson,	Moran,	Wright,
		39

Mr. Pennoyer moved to amend the motion by striking out "eight" and inserting "ten," and a division being called for, it was first taken on striking out and lost, as follows:

## YEAS.

Mr. Bacon,	Mr. Giddings,	Mr. Pennoyer,
Bowne,	A. Gillet,	Salzer,
Buck,	M. S. Gillett,	Smith,
Burk,	Haight,	St. Clair,
Campbell,	Hammond,	Tilden,
Chamberlain,	Hobart,	G. B. Turner,
Coe,	Lovell,	Turrill,
H. H. Comstock,	Matthews,	Waite,
Dayton,	Mulhollen,	26

## NAYS.

Mr. Allen,	Mr. Hartsuff,	Mr. Mosher,
Belding,	Hatch,	O'Malley,
Cady,	Hawley,	Parkhurst,
Chittenden,	Holmes,	Stevens,
Coman,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	J. W. Turner,
Curtis,	Lockwood,	Tuttle,
David,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,
Deming,	Moran,	Speaker,
Fox,	Morton,	

32

Mr. A. Gillet moved to amend the motion by striking out the words "half-past eight" and inserting "eleven;"

Pending which,

Mr. J. W. Turner moved the previous question, which was demanded by a majority, and the main question was ordered to be now put.

The question then recurring on the motion to strike out "half-past eight" and insert "eleven," it was decided in the negative.

The question being on the motion to adjourn till to-morrow morning at half past eight o'clock, was then taken, and decided in the affirmative, as follows :

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. McNeil,
Andrews,	Ferguson,	Moran,
Bacon,	Fox,	Mosher,
Belding,	Harger,	O'Malley,
Burk,	Hartsuff,	Parkhurst,
Cady,	Hatch,	Stevens,
Chittenden,	Hawley,	Stoddard,
Coman,	Holmes,	J. W. Turner,
O. C. Comstock,	Ingersoll,	Tuttle,
Curtis,	Kilborn,	Wilkinson,
David,	Lockwood,	Wright,
Davis,	McNair,	Speaker,

36

## NAYS.

Mr. Bowne,	Mr. A. Gillet,	Mr. Pennoyer,
Buck,	M. S. Gillett,	Salzer,
Campbell,	Haight,	Smith,
Chamberlain,	Hammond,	St. Clair,
Coe,	Hobart,	Tilden,
H. H. Comstock,	Lovell,	G. B. Turner,
Dayton,	Matthews,	Turrill,
Giddings,	Mulhollen,	Waite,

24

So the House stands adjourned till to-morrow morning at half past eight o'clock.

---

*Saturday, January 13, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

A call of the House was had, when it was found that Messrs. Bel-  
ding, Campbell, O. C. Comstock, Ferguson, Harger and Tilden were  
absent without leave.

On motion of Mr. Lockwood,

Leave of absence was granted to Mr. Ferguson for an indefinite  
time.

On motion of Mr. Pennoyer,

The Sergeant-at-Arms was despatched after the absentees.

Several of the absentees having returned,

On motion of Mr. Coe,

All further proceedings under the call were dispensed with.

Mr. Lockwood moved a suspension of the rule requiring the read-  
ing of the journal, which motion prevailed.

Mr. Ingersoll presented the claim of H. H. Dunklee & Co., for  
printing, which was referred to the committee on claims.

Mr. Pennoyer presented the petition of William Hathaway, Jr. and  
thirty-eight others, for the organization of a new township in the  
county of Ottawa; referred to the committee on the organization of  
township and counties.

Mr. Fox, from the committee appointed to make arrangements in  
relation to the funeral of Mr. Noble, reported that the committee had  
discharged the duty assigned to them, and in that performance had  
incurred certain expenses, the accounts for which accompanied the  
report, and asked to be discharged.

The report was accepted, the committee discharged and the ac-  
counts were referred to the committee on claims.

Mr. Ingersoll, from the joint committee appointed to revise the  
rules, reported that they had had the same under consideration, and  
recommend the adoption of the following amendment: Insert in the  
third line of the twelfth rule, after the word "adjournment," the fol-

lowing: "and resolutions not requiring the sanction of the Executive," so that the rule will read as follows:

"Rule 12. Every resolution, to which the concurrence of the Senate and House of Representatives may be necessary, except in case of adjournment and resolutions not requiring the sanction of the Executive, shall be proceeded on in the same manner as in the case of a bill."

Which report was accepted and the committee discharged.

Mr. Chamberlain moved that the report be laid on the table, which motion was lost.

Mr. H. H. Comstock moved that the report be referred to the committee of the whole and placed on the general order, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Moffatt,
Bacon,	Giddings,	Mulhollen,
Bowne,	A. Gillet,	Pennoyer,
Buck,	M. S. Gillett,	Salzer,
Burk,	Haight,	Smith,
Chamberlain,	Hammond,	St. Clair,
Coe,	Hobart,	G. B. Turner,
H. H. Comstock,	Lovell,	Turrill,
Dayton,	Matthews,	Waite,

27

## NAYS.

Mr. Allen,	Mr. Fox,	Mr. Moran,
Belding,	Harger,	Morton,
Cady,	Hartsuff,	Mosher,
Campbell,	Hatch,	O'Malley,
Chittenden,	Hawley,	Parkhurst,
Coman,	Holmes,	Stevens,
O. C. Comstock,	Ingersoll,	J. W. Turner,
Curtis,	Kilborn,	Tuttle,
David,	Lockwood,	Wilkinson,
Davis,	McNair,	Wright,
Deming,	McNeil,	Speaker,

33

Mr. Chittenden moved the previous question, which was demanded, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. Fox,	Mr. Morton,
Belding,	Harger,	Mosher,
Cady,	Hartsuff,	Mulhollen,
Campbell,	Hatch,	O'Malley,
Chittenden,	Hawley,	Parkhurst,
Coman,	Holmes,	Stoddard,

O. C. Comstock,  
Curtis,  
David,  
Davis,  
Deming,

Kilborn,  
Lockwood,  
McNair,  
McNeil,  
Moran,

J. W. Turner,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker, 33

## NAYS.

Mr. Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Chamberlain,  
Coe,  
H. H. Comstock,  
Dayton,  
Earl,

Mr. Giddings,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Hobart,  
Ingersoll,  
Lovell,  
Matthews,

Mr. Moffatt,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stevens,  
G. B. Turner,  
Turrill,  
Waite,

28

On motion of Mr. Coe,

The whole subject was laid on the table.

Mr. Davis, by unanimous consent, presented the memorial of Daniel Munger and George W. Pattison, proprietors of the Michigan State Journal, relative to the state paper, which was,

On motion of Mr. Ingersoll,

Laid on the table and ordered to be printed.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to change the name of Henry Mann;

A joint resolution relative to the claim of John W. Palmer; and

A joint resolution relative to publishing the reports of the superintendent of public instruction.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 12, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a concurrent resolution relative to the election of a United States Senator, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

Mr. Fox moved that the further consideration of the resolution be

indefinitely postponed, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Fox,	Mr. Mulhollen,
Bacon,	Giddings,	Pennoyer,
Bowne,	A. Gillet,	Salzer,
Buck,	M. S. Gillett,	Smith,
Burk,	Haight,	St. Clair,
Chamberlain,	Hammond,	Tilden,
Coe,	Hobart,	G. B. Turner,
H. H. Comstock,	Lovell,	Turrill,
Dayton,	Matthews,	Waite,
Earl,	Moffatt,	

29

## NAYS.

Mr. Allen,	Mr. Harger,	Mr. Morton,
Belding,	Hartsuff,	Mosher,
Cady,	Hatch,	O'Malley,
Campbell,	Hawley,	Parkhurst,
Chittenden,	Holmes,	Stevens,
Coman,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	J. W. Turner,
Curtis,	Lockwood,	Tuttle,
David,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,
Deming,	Moran,	Speaker,

33

Mr. Ingersoll moved a suspension of the rules so as to enable the concurrent resolution to be now taken up, which motion did not prevail, by the following vote, two thirds not voting in the affirmative, as follows:

## YEAS.

Mr. Allen,	Mr. Harger,	Mr. Morton,
Belding,	Hartsuff,	Mosher,
Cady,	Hatch,	O'Malley,
Campbell,	Hawley,	Parkhurst,
Chittenden,	Holmes,	Stevens,
Coman,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	J. W. Turner,
Curtis,	Lockwood,	Tuttle,
David,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,
Deming,	Moran,	Speaker,

33

## NAYS.

Mr. Andrews,	Mr. Fox,	Mr. Mulhollen,
Bacon,	Giddings,	Pennoyer,
Bowne,	A. Gillet,	Salzer,
Buck,	M. S. Gillett,	Smith,

Burk,  
Chamberlain,  
Coe,  
H. H. Comstock,  
Dayton,  
Earl,

Haight,  
Hammond,  
Hobart,  
Lovell,  
Matthews,  
Moffatt,

St. Clair,  
Tilden,  
G. B. Turner,  
Turrill,  
Waite,

29

Under the thirty-seventh rule, the resolution was then referred to the committee on elections.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 12, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith “a bill to amend section seven, chapter two, title two of the revised statutes of 1846,” which the Senate have passed and in which the concurrence of the House is respectfully asked.

I am further instructed to return “a bill to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton,” and to respectfully inform you that the Senate have passed the same.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton, was ordered to be enrolled.

The Senate bill to amend section seven, chapter two, title two of the revised statutes of 1846, was read twice and referred to the committee on the judiciary.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 12, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith “a bill to amend an act to provide for laying out and establishing a state road from Albion to Eaton Rapids, and to make an appropriation for opening and improving the same,” which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*



The Senate bill to amend an act to provide for laying out and establishing a state road from Albion to Eaton Rapids, and to make an appropriation for opening and improving the same, was read twice and referred to the committee on internal improvement.

On motion of Mr. J. W. Turner,  
The House adjourned.

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*Monday, January 15, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Ferguson and Flower were absent on leave, and Messrs. Allen, Bacon, Campbell, Coe, Fox, Hammond and Hatch, were absent without leave.

Mr. Stevens asked and obtained leave of absence for Mr. Campbell for two days.

Mr. Buck for Mr. Coe, for one day.

Mr. H. H. Comstock for Mr. Hatch, for two days.

Mr. G. B. Turner for Mr. Bacon, for one day.

Mr. Hartsuff for Mr. Fox, for two days.

Mr. Deming presented the petition of Daniel Allen and others, for an amendment to the act providing for the draining of swamps, marshes and other low lands, which was referred to the committee on state affairs.

Mr. Burk presented certain resolutions adopted by the board of supervisors of Berrien county, relative to county courts, which was referred to the committee on the judiciary.

Mr. Burk also presented certain resolutions adopted by the said board, relative to the tax laws; referred to the committee on ways and means.

Mr. Wilkinson presented the petition of the board of supervisors of Lenawee county, for an alteration in certain laws in relation to the draining of swamps, marshes and other low lands; referred to the committee on state affairs.

Mr. Wilkinson also presented the petition of E. L. Clark and two hundred and eighty-nine others, for an alteration in the charter

of the village of Adrian; referred to the committee on banks and incorporations.

Mr. Mulhollen presented the petition of B. Dansard and one hundred and ninety-four others, of the county of Monroe, for a restoration of the garnishee law of 1845, or the abolition of all laws for the collection of debts; referred to the committee on the judiciary.

Mr. Hawley, from the committee on elections, to whom was referred the petition of Horace Church, claiming a seat in this House as a Representative from the county of Washtenaw, submitted a written report in relation thereto, which was read, accepted, and the committee discharged from the further consideration of the subject; and

On motion of Mr. Hawley,

Made the special order for to-morrow.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of H. H. Duncklee & Co., reported the same back without action, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 13, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have non-concurred in the amendment reported by the joint committee appointed by the Senate and House to revise joint rules.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

On motion of Mr. O. C. Comstock,

*Resolved*, That this House invite Mr. Jonathan Lamb to lecture in its Hall on next Tuesday evening, on the subject of education.

On motion of Mr. Ingersoll,

*Resolved*, That the Speaker be and he is hereby authorized to appoint Henry Smith a messenger of this House during the protracted absence of one or more of the present messengers.

Mr. Hartsuff gave notice that on some future day he would ask leave to introduce a bill to provide for laying out a state road from Dexter, in Washtenaw county, to Lansing, via. the villages of Stockbridge and Mason.

Mr. Burk, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the construction of a free bridge across the St. Joseph river at or near the mouth of McCoy's creek, which was read twice and referred to the committee on roads and bridges.

Mr. Tilden, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the revised statutes in relation to the assessment of highway taxes, which was read twice and referred to the committee on roads and bridges.

Mr. Pennoyer gave notice that he would on some future day ask leave to introduce a bill to provide for the collection of taxes in the township of Norton, in the county of Ottawa, for the year 1848.

Mr. J. W. Turner, pursuant to previous notice, asked and obtained leave to introduce a joint resolution authorizing the payment of a certain sum of money to Reuben E. Bird, and

A joint resolution authorizing the payment of a certain sum of money to Henry Lindenbower;

Which were severally read twice, and referred to the committee on claims.

On motion of Mr. Ingersoll,

Leave was granted to H. H. Dunklee & Co., to withdraw from the files of the House the papers relative to their claim.

Mr. Hawley moved to take from the table the report of the committee on elections on the memorial of N. Buel Eldredge, claiming a seat as Representative from Lapeer, which motion prevailed.

On motion of Mr. Hawley,

*Resolved*, That James Turrill and N. Buel Eldredge, claimants to a seat in this House, be permitted to appear in person, or by counsel, and advocate their respective claims before this House.

Mr. Hawley offered the following resolution:

*Resolved*, That James Turrill, a member of this House from the county of Lapeer, whose seat has been contested by N. Buel Eldredge, claiming to have been duly elected in said county a Representative in this House instead of the said James Turrill, be and he is hereby declared to be the rightful member, and entitled to his seat.

Mr. Andrews moved that the resolution be laid on the table, which motion was lost.

Mr. H. H. Comstock moved a reconsideration of the vote refusing to lay on the table, but the House refused to reconsider; and

On motion of Mr. Hawley,

The resolution was made the special order for this afternoon.

The following resolution was offered by Mr. Hawley, and was adopted, viz:

*Resolved*, That the order of debate by counsel in the case of Eldredge vs. Turrill, claiming a seat in this House, be as follows: the contestant shall be first heard; then the contestee shall be heard in reply; then the contestant shall be permitted to close the debate.

Mr. Ingersoll offered the following resolution:

*Resolved*, That so much of the Governor's annual message in which the Executive volunteers to this legislature, his clear opinion that a session of one month "will afford ample time for the performance of every duty for which we came together," be referred to a select committee of three.

On motion of Mr. G. B. Turner,

The resolution was laid on the table.

On motion of Mr. H. H. Comstock,

*Resolved*, That when this House adjourns, it will adjourn to meet at two o'clock P. M., this day.

Mr. H. H. Comstock offered the following resolution, which was not adopted.

— *Resolved*, That the committee on the judiciary be, and are hereby requested to report by bill, such amendments as they deem necessary for a proper revision of the law providing for our county courts.

On motion of Mr. Chittenden,

*Resolved*, That the committee on supplies and expenditures be requested to cause two screens to be procured, to be placed in front of the stoves in the House of Representatives.

On motion of Mr. Davis,

The memorial of Daniel Munger and George W. Pattison, of the Michigan State Journal, relative to the appointment of that Journal as the state paper, was taken from the table and referred to the committee on printing.

Mr. Ingersoll moved that the report of the joint committee for revising the joint rules, be taken from the table and re-committed to the joint committee, which was agreed to.

The following bills and joint resolutions were severally read the third time and passed, viz:

A bill to amend an act entitled an act to amend an act to provide for the recording of town plats and for vacating the same in certain cases, approved April 19, 1838;

A bill to change the name of Henry Mann;

A joint resolution relative to publishing the reports of the superintendent of public instruction; and

A joint resolution relative to the claim of John W. Palmer.

The House then resolved itself into a committee of the whole, Mr. H. H. Comstock in the chair, and after spending a short time thereon, the committee rose, and by their chairman, reported back to the House, without amendment,

A joint resolution authorizing the Auditor General to draw a certain warrant.

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer, in the county of Lapeer.

On motion of Mr. G. B. Turner,

The bill and amendments were laid on the table.

The House then took up the joint resolution authorizing the Auditor General to draw a certain warrant, and the same was,

On motion of Mr. Hawley,

Amended by inserting the words, "with sufficient sureties to be approved by the Auditor General," after "bond," in the fourteenth line.

The joint resolution was then ordered to be engrossed and read the third time.

On motion of Mr. G. B. Turner,

The House adjourned.

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AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Ingersoll,

A call of the House was had, when it was found that Messrs, Chittenden, O. C. Comstock, Hammond, McNair, Morton, O'Malley, and Pennoyer were absent without leave.

On motion of Mr. Hawley,

All proceedings under the call were dispensed with.

The House then took up for consideration the special order, being the following resolution :

*Resolved*, That James Turrill, a member of this House from the county of Lapeer, whose seat has been contested by N. Buel Eldredge, claiming to have been duly elected in said county a Representative of this House instead of the said James Turrill, be, and he is hereby declared the rightful member and entitled to his seat.

N. Buel Eldredge, the contestant, not appearing either in person or by counsel,

Marshall J. Bacon, Esq., counsel for James Turrill, argued the case at some length in favor of the sitting member.

The question was then taken on the adoption of the resolution and decided in the affirmative, by the following vote:

YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Mosher,
Andrews,	A. Gillet,	Mulhollen,
Belding,	M. S. Gillett,	O'Malley,
Bowne,	Haight,	Parkhurst,
Buck,	Harger,	Pennoyer,
Burk,	Hartsuff,	Salyer,
Cady,	Hawley,	Smith,
Chamberlain,	Hobart,	St. Clair,
Chittenden,	Holmes,	Stevens,
Coman,	Ingersoll,	Stoddard,
H. H. Comstock,	Kilborn,	Tilden,
O. C. Comstock,	Lockwood,	G. B. Turner,
Curtis,	Lovell,	Tuttle,
David,	Matthews,	Waite,
Davis,	McNeil,	Wilkinson,
Dayton,	Moffatt,	Wright,
Deming,	Moran,	Speaker,
Earl,	Morton,	

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NAYS.

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On motion of Mr. Wright,

The House adjourned.

*Tuesday, January 16, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Campbell, Ferguson, Flower, Fox, and Hatch were absent on leave, and Mr. Lockwood was absent without leave.

The journal of yesterday was read and approved.

Mr. Kilborn presented the claim of W. Briggs for repairs on the capitol, which was referred to the committee on claims.

Mr. Tilden presented the petition of Robert Duff and fifty-eight others, for an alteration in the boundaries of the townships of Ash and Frenchtown; referred to the committee on the organization of townships and counties.

Mr. Morton presented the remonstrance of Peter Devin and ninety-six others, against any alteration in the boundaries of the township of Ash; same reference.

Mr. St. Clair presented the petition of Stephen A. Fenton and others, of the township of China, in St. Clair county, asking that town four north of range fifteen east be organized into a separate township by the name of Casco; same reference.

Mr. Bowne presented the petition of James S. Pitts, of Ross, Kalamazoo county, a minor, for the passage of a law authorizing him to convey real estate; referred to the committee on the judiciary.

Mr. Wilkinson presented the petition of sundry citizens of Lenawee county, for the repeal of the law entitled an act for the draining of swamps, marshes and other low lands; referred to the committee on state affairs.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton, was correctly enrolled, and was this day presented to the Executive for his approval.

Mr. Parkhurst, from the same committee, reported as correctly engrossed the joint resolution authorizing the Auditor General to draw a certain warrant.

Mr. Ingersoll, from the committee on printing, to whom was referred the memorial of Daniel Munger and George W. Pattison, of the Michigan State Journal, relative to the appointment of that paper as the state paper, reported a joint resolution appointing the Michigan State Journal the state paper, and for other purposes, which

was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Cee, from the committee on the judiciary, to whom was referred the Senate bill to amend section seven of chapter two of title two of the revised statutes of 1846, reported the same back without amendment and recommended its passage; which report was accepted, the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Hawley, from the committee on elections, to whom was referred the concurrent resolution relative to the election of a United States Senator, reported the same back together with a substitute therefor, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Buck moved that the concurrent resolution and substitute be laid on the table, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Moffatt,
Bacon,	Giddings,	Mulhollen,
Bowne,	A. Gillet,	Salzer,
Buck,	M. S. Gillett,	Smith,
Burk,	Haight,	St. Clair,
Chamberlain,	Hammond,	G. B. Turner,
Coe,	Hobart,	Turrill,
H. H. Comstock,	Lovell,	Waite,
Dayton,	Matthews,	

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## NAYS.

Mr. Allen,	Mr. Harger,	Mr. Parkhurst,
Belding,	Hawley,	Pennoyer,
Cady,	Holmes,	Stevens,
Chittenden,	Ingersoll,	Stoddard,
Coman,	Kilborn,	Tilden,
O. C. Comstock,	McNair,	J. W. Turner,
Curtis,	McNeil,	Tuttle,
David,	Moran,	Wilkinson,
Davis,	Morton,	Wright,
Deming,	Mosher,	Speaker,
Fox,	O'Malley,	

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On motion of Mr. Hawley,

The concurrent resolution was referred to the committee of the whole and placed on the general order.



Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to incorporate the New Buffalo and Laporte plank road company, which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. J. W. Turner, from the same committee, to whom was referred the following entitled bills, reported the same back without amendment, and recommended their passage, viz :

A bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company;

A bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg; and

A bill to incorporate the Native copper company.

Which report was accepted, the committee discharged from the further consideration of the subjects, and the bills referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Ingersoll, from the joint committee appointed for revising the joint rules of the Senate and House of Representatives, submitted the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz :

The joint committee of the Senate and House, to whom was referred the revision of the joint rules of the Senate and House of Representatives, have had the same under consideration and have instructed me as their chairman, on the part of the House, to report the same back and recommend their adoption as printed in the manual of the last legislature.

The joint rules as reported were then adopted by a unanimous vote.

The following communication was announced:

ADJUTANT AND QUARTERMASTER GENERAL'S OFFICE,  
Detroit, January 9, 1849. }

Hon. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

SIR:—I have the honor herewith to transmit my annual report, exhibiting the administration and transactions of this department during the past year up to the 1st of December last.

Very Respectfully,

Your ob't serv't,

J. E. SCHWARZ,

*Adj't and Quartermaster Gen'l, M. M.*

The annual report of the Adjutant and Quartermaster General was referred to the committee on the militia.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 15, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to amend an act entitled an act authorizing any person to construct lines of electric telegraph in the state of Michigan; also

A bill to incorporate the Tecumseh literary institute.

Which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to amend an act entitled an act authorizing any person to construct lines of electric telegraph in the state of Michigan, was read twice and referred to the committee on state affairs.

The Senate bill to incorporate the Tecumseh literary institute was read twice and referred to the committee on education.

On motion of Mr. Coe,

*Resolved*, That a select committee of five be appointed to revise the rules of this House before the publication thereof in the manual.

The Speaker appointed as such committee, Messrs. Coe, O'Malley, Morton, Parkhurst and Lovell.

Mr. Bacon, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter fifty-five of the revised statutes of 1846, in relation to religious societies, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Hawley,

*Resolved*, That the committee on roads and bridges be instructed to inquire into the expediency of providing by law for the laying out of private roads, and that they report by bill or otherwise.

Mr. J. W. Turner gave notice that he would on some future day ask leave to introduce a bill to provide for the publication of the state laws and joint resolutions.

Mr. Chamberlain gave notice that he would on some future day ask leave to introduce a bill to amend chapter one hundred and forty-one of the revised statutes of 1846;

A bill to amend chapter forty-one of the revised statutes of 1846; and

A bill to amend chapters sixteen and twenty of the revised statutes of 1846.

The joint resolution authorizing the Auditor General to draw a certain warrant, was read the third time and passed.

The House having arrived at the special order, took up for consideration the following report, made yesterday by Mr. Hawley, chairman of the committee on elections:

The committee on elections, to whom was referred the petition of Horace Church, (together with certain affidavits and other papers relating thereto,) claiming a seat in this House as a Representative from Washtenaw, have had the same under consideration and have instructed me as their chairman to make the following report:

The petitioner claims a seat in this House on the following grounds, viz:

At the last general election held in the township of Superior, in said county, there were present but two inspectors of election, who (there having been no other inspectors chosen,) opened the polls and continued to receive votes of electors, until about noon, when the absent inspector took his seat with the board of inspectors and continued with the board until the close of the polls. From the affidavits accompanying the petition, these facts are made to appear.

The law applicable to this case is found on page 43, revised statutes, sections one and two.

Said section one provides that at the general election, the supervisor, the justice of the peace whose term of office shall first expire, and the township clerk of each township shall be the board of inspectors, two of whom shall constitute a quorum.

Section two provides that if the inspectors shall not be present at the opening of the polls, or shall not remain in attendance during the election, then the electors *may* choose such number as with the inspectors present shall constitute a board of three in number, who shall be the inspectors during the continuance of the election.

Applying the law to the facts in this case, there does not appear to have been any departure from the requirements of the statute. The provisions relating to the choice of a third inspector being in the optative, the neglect on the part of the electors to choose a third

was not a violation of a positive duty enjoined by law, but a waiver of privilege allowed by the statute. Hence the ground on which the claim of the petitioner rests, failing, the claim must likewise fall.

All which is respectfully submitted by your committee, praying the acceptance of their report, and that they be discharged from the further consideration of the subject.

The question being on the adoption of the report, it was decided in the affirmative.

On motion of Mr. J. W. Turner,

The House resolved itself into a committee of the whole, on the bill to amend section seven, chapter two, of the revised statutes of 1846, Mr. G. B. Turner in the chair, and after spending a short time thereon, the committee rose and reported the bill back to the House, without amendment, and it was ordered to be read the third time.

Mr. Hawley moved that the House go into committee of the whole on the general order, which motion was lost.

Mr. Hawley moved an adjournment, but the House refused to adjourn.

Mr. Pennoyer, by unanimous consent, offered the following resolution, which was adopted:

*Resolved*, That the committee on public lands be instructed to inquire into the expediency and propriety of removing the state land office from Marshall to Lansing, and to report to this House by bill or otherwise.

On motion of Mr. O. C. Comstock,

The House adjourned.

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*Wednesday, January 17, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Flower was absent on leave, and Messrs. Bowne, Hatch, Ingersoll and Salyer were absent without leave.

Mr. Waite asked and obtained leave of absence for Mr. Salyer for one day.

Mr. O'Malley for Mr. Ingersoll, for three days.

The journal of yesterday was read and approved.

Mr. Chamberlain presented the petition of Isaac N. Swain and ninety-three others, for the passage of an act authorizing him to build a dam across the Paw Paw river, in the county of Berrien; referred to the committee on roads and bridges.

Mr. Giddings presented the petition of Isaac Otis and others, for the establishment of a state road from Richland, in Kalamazoo county, to Hastings, in Barry county, and asking an appropriation of internal improvement lands therefor; same reference.

The Speaker presented the petition of Joseph Wood and others, citizens of Boston, for the incorporation of the Phoenix copper company; referred to the committee on banks and incorporations.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of W. Briggs, for repairs on the capitol, reported the same back, recommended its allowance, and that it be referred to the committee on ways and means, with instructions to embody the amount in the general appropriation bill, which report was accepted, the committee discharged from the further consideration of the subject, and the claim was referred to the committee on ways and means with the instructions.

Mr. Campbell, from the committee on internal improvement, made the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz :

The committee on internal improvement, to whom was referred the petitions of sundry citizens of this state, praying for the appropriation of internal improvement lands for the improvement of roads within the state, respectfully report the same back to the House without action, and asked to be discharged from the further consideration of the same. It appears from the report of the Auditor General, of the sixth inst., in reply to the Senate resolutions of inquiry on the subject, that the appropriation of last winter covered all such lands not previously disposed of, excepting only such as were reserved to meet outstanding land warrants.

Mr. O. C. Comstock, from the committee on education, to whom was referred the Senate bill to incorporate the Tecumseh literary institute, reported the same back without action, asked to be discharged from its further consideration, and recommended that it be referred to the committee on banks and incorporations, which report was accepted, the committee discharged, and the bill was referred to the committee on banks and incorporations.

Mr. Coe, from the select committee yesterday appointed to revise the rules, made the following report, which was accepted and the committee discharged, viz:

The select committee appointed to revise the rules of this House, ask leave to submit the following report:

Adopt the House rules of the last session of the legislature, with the following amendments:

1. Insert the following as rule 19:

"If the question in debate contains several points, any member may have the same divided."

2. Number the rules following rule 19 so as to correspond with the foregoing amendment."

All which is respectfully submitted.

The amendment reported was concurred in, and the rules as amended were adopted by a unanimous vote.

The following communication was received from the Executive:

EXECUTIVE OFFICE,  
Lansing, January 16, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

"An act to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton,"

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 16, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the amendment of the House to a bill to amend an act entitled "an act to amend an act to provide for the recording of town plats, and for vacating the same in certain cases, approved April 19, 1839."

I am further instructed to return herewith a bill to change the name of Henry Mann, and to respectfully inform you that the Senate have passed the same.

Respectfully, &c.,

W. L. BANCROFT,

Secretary of the Senate.

The bill to change the name of Henry Mann was ordered to be enrolled.

Mr. Ferguson gave notice that on some future day he will ask leave to introduce a bill relating to the Wesleyan seminary at Albion.

Mr. Coman gave notice that on some future day he would ask leave to introduce a bill to legalize the acts of the school inspectors and township clerks in the townships of Reading and Allen, in forming joint school district number ten, in the town of Reading, in the county of Hillsdale.

Mr. Fox gave notice that he would on some future day ask leave to introduce a bill to amend chapter ninety-three of the revised statutes; and

A bill for the relief of the township of Waterloo, in the county of Jackson.

The bill to amend section seven, chapter two, title two of the revised statutes of 1846, was read the third time, when

Mr. Coe moved that it be recommitted to the committee on elections with instructions to strike out all after the enacting clause, and insert the following:

Sec. 1. Within forty days from the commencement of the present session of the legislature, an election shall be held for a Senator in Congress to fill the vacancy occasioned by the resignation of Hon. Lewis Cass.

Sec. 2. Such election shall be made and conducted pursuant to the provisions of chapter eleven of the revised statutes of 1846.

Sec. 3. This act shall take effect and be in force from and after its passage.

The motion to recommit was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Moffatt,
Buck,	A. Gillet,	Mulhollen,
Burk,	M. S. Gillett,	Pennoyer,
Chamberlain,	Haight,	Smith,
Coe,	Hammond,	St. Clair,
H. H. Comstock,	Hobart,	Tilden,
Dayton,	Lovell,	Turrill,
Earl,	Matthews,	Waite,

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## NAYS.

Mr. Allen,	Mr. Fox,	Mr. Mosher,
Bacon,	Ferguson,	O'Malley,

Belding,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
O. C. Comstock,  
Curtis,  
David,  
Davis,  
Deming,

Harger,  
Hartsuff,  
Hawley,  
Holmes,  
Kilborn,  
McNair,  
McNeil,  
Moran,  
Morton,

Parkhurst,  
Stevens,  
Stoddard,  
G. B. Turner,  
J. W. Turner,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker,

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The bill was then passed.

The House then resolved itself into a committee of the whole on the general order, Mr. O'Malley in the chair, and after a short time spent thereon, the committee rose, and by their chairman reported back to the House, with an amendment in which the concurrence of the House was asked, the concurrent resolution relative to the election of United States Senator; and also reported back without amendment,

A bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company; and

A bill to amend chapter ninety-two of the act entitled an act for revising and consolidating the general statutes of the state of Michigan, approved May 18, 1846, and in relation thereto.

On motion of Mr. J. W. Turner,

The last named bill was laid on the table.

The bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company, was ordered to be engrossed and read the third time.

The concurrent resolution relative to the election of a United States Senator being under consideration,

Mr. Hawley moved that it be laid on the table, which motion was lost, by yeas and nays, as follows:

#### YEAS.

Mr. Belding,  
Buck,  
Cady,  
H. H. Comstock,  
Dayton,  
Deming,  
Giddings,  
A. Gillet,

Mr. M. S. Gillett,  
Haight,  
Hammond,  
Harger,  
Hawley,  
Hobart,  
Kilborn,

Mr. Lovell,  
Moffatt,  
Moran,  
Morton,  
J. W. Turner,  
Waite,  
Wilkinson,

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## NAYS.

Mr. Allen,	Mr. Davis,	Mr. Parkhurst,
Andrews,	Earl,	Pennoyer,
Bacon,	Fox,	Smith,
Burk,	Ferguson,	St. Clair,
Campbell,	Hartsuff,	Stevens,
Chamberlain,	Holmes,	Stoddard,
Chittenden,	Lockwood,	Tilden,
Coe,	Matthews,	G. B. Turner,
Coman,	McNair,	Turrill,
O. C. Comstock,	McNeil,	Tuttle,
Curtis,	Mulhollen,	Wright,
David,	O'Malley,	Speaker, 36

The amendment to, being a substitute for, the concurrent resolution was then concurred in, and the resolution as amended was ordered to be read the third time.

On motion of Mr. Stevens,

The House adjourned.

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*Thursday, January 18, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Flower and Ingersoll were absent on leave, and Messrs. H. H. Comstock, Hatch, Mulhollen and Salyer were absent without leave.

Mr. O. C. Comstock asked and obtained leave of absence for Mr. H. H. Comstock, for one day.

Mr. Waite for Mr. Salyer, for the same time.

Mr. Morton for Mr. Mulhollen, for the same time.

The journal of yesterday was read and approved.

Mr. Allen presented a resolution of the board of supervisors of Clinton county, asking an amendment to the law requiring delinquent taxes to be returned to the Auditor General; referred to the committee on ways and means.

Mr. Allen also presented a resolution of the same board, asking the abolition or amendment of the county court system; referred to the committee on the judiciary.

Mr. Burk presented the memorial of the board of supervisors of Berrien county, asking an appropriation of internal improvement

lands on a certain road; referred to the committee on internal improvement.

Mr. Lovell presented the petition of twenty-three inhabitants of the township of Orleans, in Ionia county, relative to the construction and completion of a canal and locks around the rapids of Grand river; referred to the committee on internal improvement.

Mr. Lovell presented the petition of twenty-three inhabitants of the township of Orleans, in Ionia county, relative to the construction and completion of a canal and locks around the rapids of Grand River; referred to the committee on internal improvement.

Mr. Coman presented the petition of John Mickle and others, for the passage of a law legalizing certain acts of the townships of Reading and Allen, in Hillsdale county; referred to the committee on the judiciary.

Mr. Andrews presented the memorial of N. Buel Eldredge and others, asking the incorporation of the medical association of the state of Michigan; referred to the committee on banks and incorporations.

Mr. Deming presented the petition of the commissioners under the act for the draining of swamps, marshes and other low lands; referred to the committee on state affairs.

Mr. G. B. Turner, from the committee on claims, to whom were referred sundry claims accruing by the death of Mr. Noble, reported the same back, recommended their allowance, and that they be referred to the committee on ways and means with instructions to embody the amounts in the general appropriation bill, which report was accepted, the committee discharged from the further consideration of the subject, and the claims referred to the committee on ways and means, with the instructions.

Mr. G. B. Turner, from the same committee, to whom was referred the joint resolution relative to the claim of Rueben E. Bird, and the joint resolution relative to the claim of Henry Lindenbower, reported the same back without amendment, and recommended that they do not pass, which report was accepted, the committee discharged from the further consideration of the subjects, and

The joint resolutions were referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Hawley, from the select committee on the subject of a convention for revising the constitution, to whom was referred the joint

resolution proposing an amendment to the constitution relative to certain public officers, reported the same back without amendment, and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject, and

The joint resolution was referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Kilborn, from the committee on public lands, made the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz:

The committee on public lands, to whom was referred the petition of P. J. G. Hodenpyl and others, citizens of the county of Ottawa, praying for an appropriation of land for the purpose of improving a certain state road, have had the same under consideration, and instruct me to report adversely, as from a recent report of the Auditor General it appears there are no internal improvement lands unappropriated or liable to be reappropriated.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to incorporate the Phoenix copper company, which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to change the name of Henry Mann, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Parkhurst, from the same committee, also reported that the bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company was correctly engrossed.

Mr. Morton, from the committee on state affairs, made the following report, which was accepted, and the committee discharged from the further consideration of the subject.

The committee on state affairs, to which was referred the petition of the board of supervisors of the county of Calhoun, have had the same under consideration, and respectfully report:

That section twenty, chapter eighty-three of the revised statutes, provides for the redemption of lands sold for taxes within one year from the time of sale, with interest at twenty-five per cent., twenty per cent. of which goes to the purchaser, and five per cent. to the state, to the credit of the general fund.

The petition sets forth that the county treasurer performs a portion

of the duty for the payment of which the five per cent. is paid into the state treasury, and therefore claims a proportion of the five per cent. for the county treasurer, to pay that officer for making out redemption receipts for such lands as are redeemed in the county.

The committee, however, are of the opinion that the privilege of redeeming in the county is of no essential benefit to the state, but is solely for the accommodation of the people residing in such county; and that the remuneration for such services, if any is required, over and above the salary paid such officer, should come from the county by a vote of the board of supervisors.

But in most, if not in all cases, the committee believe the salaries to be high enough to pay for all the duties performed by the several county treasurers.

If the prayer of the petitioners should be granted, every other county treasurer would of course claim the same remuneration for such services, and a large amount would thus be drawn from the state treasury, to be made up by just so much additional tax upon the people.

For these reasons, and believing that the board of supervisors of the several counties should fix the salaries for their county treasurers, the committee report adversely to the prayer of the petitioners, recommend no action upon the subject, and ask to be discharged from any further consideration of the same.

Mr. Morton, from the same committee, to whom was referred the Senate bill to amend an act entitled an act authorizing any person to construct lines of electric telegraph in the state of Michigan, reported the same back without amendment and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, to whom was referred the Senate bill to amend an act entitled an act to provide for laying out and establishing a state road from Albion to Eaton Rapids, and to make an appropriation for opening and improving the same, reported the same back without amendment and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Coe, from the committee on the judiciary, reported a bill to amend section two of chapter seventy-eight of the revised statutes of 1846, which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the bill to amend chapter fifty-five of the revised statutes of 1846, in relation to religious societies, reported the same back with amendments, and asked to be discharged from its further consideration, which report was accepted, the committee discharged, and

The bill as amended, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the petition of James S. Pitts, of Ross, Kalamazoo county, a minor, asking the passage of a law authorizing him to convey real estate, reported adverse to the prayer of the petition, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

Mr. Davis, from the committee on roads and bridges, reported a bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Davis, from the same committee, to whom was referred the bill to authorize the construction of a free bridge across the St. Joseph river at or near the mouth of McCoy's creek, reported the same back without amendment and recommended its passage, which report was accepted, the committee discharged, and

The bill was ordered to be printed, referred to the committee of the whole, and placed on the general order..

Mr. Davis, from the same committee, to whom was referred the petition of Isaac Otis and others, for the establishment of a state road from Richland, in Kalamazoo county, to Hastings, in Barry county, and asking an appropriation therefor, reported the same back without action, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

Mr. Davis, from the same committee, to whom was referred the bill to amend the revised statutes in relation to the assessment of

highway taxes, reported the same back with an amendment and recommended its passage, which report was accepted, the committee discharged, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 17, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to incorporate the Genesee literary institute; and

A bill to amend chapter eighty-nine of the revised statutes of 1846, relative to fixing the terms of the circuit court;

Which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to incorporate the Genesee county literary institute was read twice and referred to the committee on banks and incorporations.

The Senate bill to amend chapter eighty-nine of the revised statutes of 1846, relative to fixing the terms of the circuit court, was read twice, when

Mr. Ferguson moved a suspension of the rules, so that the bill might be put upon its passage, which motion was lost, and

The bill was referred to the committee on the judiciary.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 17, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the report of the joint committee of the Senate and House, to whom was referred the revision of the joint rules of the Senate and House of Representatives, and to respectfully inform you that the Senate have adopted the same, and have also adopted the joint rules of the Senate and House of Representatives as printed in the manual of the last legislature.

I am further instructed to transmit herewith a bill to amend an act entitled "an act authorizing the supervisors of the county of Kent to

construct a canal and locks around the rapids of Grand river at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, was read twice and referred to the committee on internal improvement.

Mr. Burk gave notice that he would on some future day ask leave to introduce a bill to amend chapter eighteen of the revised statutes of 1846.

Mr. Coe introduced a concurrent resolution adopting the rules of the Senate and House of Representatives in joint convention, which was read twice and ordered to be read the third time.

On motion of Mr. Coe,

The rules were suspended so as to enable the concurrent resolution to be read the third time to-day.

Mr. Chittenden gave notice that on some future day he would ask leave to introduce a bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance bank, and

A bill to incorporate the Peninsular bank.

Mr. Lockwood gave notice that he would on some future day ask leave to introduce a bill providing for laying out a state road from the village of Milford, in Oakland county, to Davisonville, in Genesee county.

Mr. Coe introduced a concurrent resolution in relation to a revision of the rules in joint convention, which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Hawley offered the following resolution:

*Resolved*, That all bills proposing amendments to the revised statutes, shall, after their second reading, be referred to the committee on the judiciary, with instructions to consolidate them in one bill.

with such amendments as to the committee shall seem proper, and report the same to the House.

The bill to amend an act entitled act to incorporate the Monroe and Saline plank road company, was read the third time and passed by a two-third vote.

The concurrent resolution relative to the election of a United States Senator, and

The concurrent resolution adopting the rules of the last Senate and House of Representatives in joint convention, were severally read the third time and passed.

The House then resolved itself into a committee of the whole on the general order, Mr. O. C. Comstock in the chair, and after spending some time thereon, the committee rose and through their chairman reported back to the House, with an amendment in which the concurrence of the House was asked, a bill to incorporate the Native copper company; and also reported back without amendment,

A bill to incorporate the New Buffalo and Laporte plank road company, and

A bill to amend certain provisions of chapter ninety-three of the revised statutes of 1846, and in relation thereto.

On motion of Mr. G. B. Turner,

The last named bill was laid on the table.

The bill to incorporate the New Buffalo and Laporte plank road company, was ordered to be engrossed and read the third time.

The amendment reported by the committee of the whole to the bill to incorporate the Native copper company, was concurred in, and

On motion of Mr. J. W. Turner,

The bill was further amended by striking out of the fourth line of section four, the words, "and of all taxes upon personal estate."

On motion of Mr. Coe,

The bill was then laid on the table.

Mr. Coe, from the committee on the judiciary, to whom was referred the Senate bill to amend chapter eighty-nine of the revised statutes of 1846, relative to fixing the terms of the circuit court, by unanimous consent, reported the same back, together with a substitute therefor, which report was accepted and the committee discharged from the further consideration of the subject.



The substitute was adopted and the bill as amended was ordered to be read a third time.

On motion of Mr. Coe,

- The rules were suspended, and

The bill was read the third time and passed.

The question then being on the title of the bill, the same was,

On motion of Mr. Coe,

Amended by substituting therefor the words, "a bill to authorize the justices of the supreme court to fix and appoint the times of holding the several circuit courts within their several circuits."

On motion of Mr. Wright,

The House adjourned.

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*Friday, January 19, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called and Messrs. Flower and Ingersoll were absent on leave, and Messrs. Hatch and Mosher were absent without leave.

Mr. Deming asked and obtained leave of absence for Mr. Mosher for one day.

Mr. Fox for Mr. Hatch, for one week.

The journal of yesterday was read and approved.

Mr. Tilden presented the petition of Horace Hill and forty others, for alterations in the existing laws in relation to school inspectors, and also in relation to highway commissioners; that portion of the petition relative to school inspectors was referred to the committee on education, and that portion relative to highway commissioners was referred to the committee on roads and bridges.

Mr. Fox presented the petition of one hundred and twenty-nine citizens of the village of Jackson, on the subject of convict labor in the state prison; referred to the committee on the state prison.

Mr. McNair presented the petition of seventy-six tax-payers of the village of Tecumseh, for an alteration in the charter of said village; referred to the committee on banks and incorporations.

Mr. Lovell presented the petition of Wm. F. Jennison and others, for the passage of a law appropriating certain non-resident hi-

taxes on the road leading from Portland, Ionia county, to the Grand river road in Clinton county, for the repair thereof; and

A petition of Almeron Newman and others, for authority to build a dam across Grand river, on section thirty-three, town six north of range five west; which petitions were referred to the committee on roads and bridges.

Mr. Harger presented the petition of P. Dean Warner and others, of Farmington, Oakland county, for the re-enactment of the garnishee law; referred to the committee on the judiciary.

Mr. H. H. Comstock presented resolutions adopted by the board of supervisors of Allegan county, recommending certain amendments to the tax laws; referred to the committee on ways and means.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of Benjamin Porter, submitted a report thereon in writing, which was, on his motion, laid on the table.

Mr. Morton, from the committee on state affairs, reported a bill to extend the time for the collection of taxes for the year 1848, under an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and the acts amendatory thereto, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, reported a bill to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors, and

A bill to provide for the punishment of certain offences;

Which were severally read twice and ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate, reported the same back, and reported adverse to its passage, as the relief sought could be obtained under the provisions of chapter seventy-eight of the revised statutes, which report was accepted, the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of charge, and placed on the general order.

on, from the same committee, made the following re-

port, which was accepted, and the committee discharged from the further consideration of the subject:

The committee on the judiciary, to whom was referred the petition of John Mickle and others, to legalize the acts of the school inspectors of the townships of Allen and Reading, in the county of Hillsdale, have had the same under consideration, and instruct me, as their chairman, to report that in their opinion no legislation is necessary, or could be adopted to meet or answer the prayer of the petitioners, and they accordingly ask to be discharged from the further consideration of the subject.

Mr. Kilborn, from the committee on public lands, reported a joint resolution relative to salt spring lands in the town of Saline, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Morton, from the committee on state affairs, reported a joint resolution in relation to the transmission of the United States mail through Canada, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to incorporate the New Buffalo and Laporte plank road company was correctly engrossed.

The following communication was announced:

EXECUTIVE OFFICE,  
Lansing, January 18, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to change the name of Henry Mann.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 18, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to authorize Erie Prince and William H. Chillson to build a dam across the Thornapple river, in the county of Kent, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,  
Secretary of the Senate.

The Senate bill to authorize Erie Prince and William H. Chillson to build a dam across the Thornapple river, in the county of Kent was read twice and referred to the committee on roads and bridges.

On motion of Mr. O. C. Comstock,

*Resolved*, That the House of Representatives invite the superintendent of public instruction to deliver a lecture on the Michigan school system, in this Hall, next Monday evening.

Mr. G. B. Turner offered the following resolution:

*Resolved*, That, in the opinion of this House, it would be inexpedient to grant any act of incorporation conferring banking privileges, or continuing the same, without first submitting it to the electors of this state for their approval.

*Resolved*, That, in the opinion of this House, it would be highly improper to loan the credit or funds of this state, directly or indirectly, to any corporate company, or in any manner to extend the time already given any such company to meet its indebtedness to the state, without first submitting the proposition to the electors of the state for their approval.

On motion of Mr. Coe,

The resolutions were laid on the table.

Mr. Mulhollen gave notice that he would on some future day ask leave to introduce a bill to amend the act incorporating the Monroe and Erie plank road company.

Mr. Lockwood offered the following resolution:

*Resolved*, That the Representative Hall be granted to Mr. Jonathan Lamb, this evening to, lecture on education.

Mr. Pennoyer offered the following as a substitute for the resolution, which substitute was agreed to, viz:

*Resolved*, That the Hon. Jonathan Lamb be, and he is hereby entitled to the use of the Representative Hall at any time when not otherwise occupied, for the purpose of lecturing upon the subject of education and the establishment of Norman schools in this state.

The resolution as amended was then adopted.

Mr. Parkhurst gave notice that he would on some future day ask leave to introduce a bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846.

Mr. Giddings gave notice that he would on some future day ask leave to introduce a bill to authorize the laying out and establishing

a state road from Richland, in Kalamazoo county, to Hastings, in Barry county, and

A bill to authorize James S. Pitts, a minor, to convey real estate.

On motion of Mr. Hawley,

The report of the committee on claims on the subject of Benjamin Porter's claim, was ordered to be printed.

Mr. Chittenden offered the following resolution, which was adopted:

*Resolved*, That this House order five hundred extra copies of the annual report of the Adjutant General to be printed.

On motion of Mr. Pennoyer,

The vote by which the last resolution was adopted, was reconsidered.

Mr. Pennoyer then moved that the resolution be amended by striking out the words "five hundred" and inserting "one thousand," which motion prevailed, and the resolution as amended was then adopted.

On motion of Mr. Hawley,

*Resolved*, That the use of this Hall be tendered to Dr. B. S. Taylor on Saturday evenings, until otherwise ordered, for the purpose of holding singing schools therein.

On motion of Mr. J. W. Turner,

*Resolved*, That when this House adjourns it will adjourn to meet at half-past two o'clock this afternoon.

The bill to incorporate the New Buffalo and Laporte plank road company, was read the third time and passed by a two-thirds vote.

Mr. Chamberlain moved that the vote by which the bill was passed be reconsidered, which motion was lost.

The House then resolved itself into a committee of the whole on the general order, Mr. Coe in the chair, and after some time spent thereon the committee rose and by their chairman reported back to the House with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the Pittsburg and Isle Royal mining company, of Pittsburg;

A bill to authorize the construction of a free bridge across the St. Joseph river at or near the mouth of McCoy's creek; and

A joint resolution for the relief of Johnson Lee.

The committee also reported back without amendment,

A bill to amend an act to provide for laying out and establishing a state road from Albion to Eaton Rapids, and to make an appropriation for opening and improving the same;

A bill to amend an act entitled an act authorizing any persons to construct lines of electric telegraph in the state of Michigan;

A bill to amend the revised statutes in relation to the assessment of highway taxes;

A joint resolution relative to the claim of Henry Lindenbower;

A joint resolution relative to the claim of Reuben E. Bird; and

A concurrent resolution in relation to a revision of the rules in joint convention.

The bill to amend the revised statutes in relation to the assessment of highway taxes, was,

On motion of Mr. Coe,

Laid on the table.

The joint resolution relative to the claim of Henry Lindenbower being before the House,

On motion of Mr. G. B. Turner,

Its further consideration was indefinitely postponed.

On motion of Mr. Lockwood,

The House adjourned.

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AFTERNOON SESSION.

*Half past two o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The joint resolution relative to the claim of Reuben E. Bird was taken up, when

Mr. G. B. Turner moved that the further consideration of the subject be indefinitely postponed, which motion prevailed.

On motion of Mr. J. W. Turner,

The vote of indefinite postponement was reconsidered, and

The question recurring on the motion of Mr. G. B. Turner, it prevailed.

The bill to amend an act entitled an act authorizing any persons to construct lines of electric telegraph in the state of Michigan, and

The bill to amend an act to provide for laying out and establishing

a state road from Albion to Eaton Rapids, and to make an appropriation for opening and improving the same,

Were severally ordered to be read the third time.

The concurrent resolution in relation to a revision of the rules in joint convention, was ordered to be engrossed and read the third time.

On motion of Mr. Coe,

The rules were suspended, and the engrossment having been dispensed with, the concurrent resolution was read the third time and passed.

The first and second amendments reported by the committee of the whole to the bill to incorporate the Pittsburg and Isle Royal mining company, were severally concurred in, and the third amendment was non-concurred in.

The question then being on concurring in the fourth amendment, which amendment strikes out of the second line, the words "after the limitation thereof," the amendment was,

On motion of Mr. Coe,

Amended by adding to the words to be stricken out, the words "by a two-thirds vote, or at any time."

On motion of Mr. Hawley,

There was a further addition to the amendment of the words "for any violation of the provisions thereof."

The question then recurring on concurring in the amendment as amended,

On motion of Mr. Hawley,

The bill was laid on the table.

The amendment reported by the committee of the whole to the joint resolution for the relief of Johnson Lee, was concurred in.

On motion of Mr. Coe,

The following proviso was added to the resolution:

"*Provided also*, The same shall not previously have been sold or otherwise disposed of to any other person."

The joint resolution was then ordered to be engrossed and read the third time.

The amendment to the bill to authorize the construction of a free bridge across the St. Joseph river at or near the mouth of M'Coy's creek, was non-concurred in, and the bill was ordered to be engrossed and read the third time.

Mr. Wright moved an adjournment, which motion prevailed by the following vote:

## YEAS.

Mr. Allen,	Mr. Davis,	Mr. McNeil,
Andrews,	Deming,	Moran,
Belding,	Ferguson,	O'Malley,
Burk,	Fox,	Stevens,
Cady,	Harger,	Stoddard,
Campbell,	Hartsuff,	G. B. Turner,
Coman,	Hawley,	Tuttle,
O. C. Comstock,	Holmes,	Wright,
Curtis,	Lockwood,	Speaker,
David,	McNair,	

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## NAYS.

Mr. Bowne,	Mr. Haight,	Mr. Parkhurst,
Buck,	Hammond,	Pennoyer,
Chittenden,	Hobart,	Smith,
Coe,	Kilborn,	St. Clair,
H. H. Comstock,	Lovell,	Tilden,
Dayton,	Matthews,	J. W. Turner,
Earl,	Moffatt,	Turrill,
Giddings,	Morton,	Waite,
A. Gillet,	Mulhollen,	Wilkinson,
M. S. Gillett,		

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So the House adjourned.

*Saturday, January 20, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Hatch was absent on leave, and Messrs. Coe, Giddings and Ingersoll were absent without leave.

Mr. O. C. Comstock asked and obtained leave of absence for Messrs. Coe and Giddings for the day.

The journal of yesterday was read and approved.

Mr. Hawley presented the petition of H. Fralick and thirty-one others, citizens of Wayne county, for a repeal of act number one hundred and thirty-seven, session laws of 1848, in relation to bridges; referred to the committee on roads and bridges.

Mr. Lovell presented the petition of Frederick Hall and others, asking the passage of a law authorizing the publication of the sales of



lands delinquent for taxes in Ionia county, in the Ionia Gazette; referred to the committee on printing.

Mr. Lovell also presented the petition of James Harrington and Norman A. Harrington, for the passage of a law authorizing Norman A. Harrington to convey certain real estate; referred to the committee on the judiciary.

Mr. Morton presented the claim of Leonora M. Ellis, widow of Edward D. Ellis, deceased, for damages for non-performance of contract on the part of the state, for state printing for the year 1843.

Mr. G. B. Turner moved that the claim be referred to the committee on printing, which motion was lost, and the claim was referred to the committee on claims.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to authorize the construction of a free bridge across the St. Joseph river at or near McCoy's creek, and

A joint resolution for the relief Johnson Lee.

Mr. Campbell, from the committee on internal improvement, to whom was referred the Senate bill to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the same committee, to whom was referred a resolution of the board of supervisors of Berrien county, asking an appropriation of internal improvement lands to build bridges across the St. Joseph river, reported the same back without action, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the bill to extend the time for the collection of taxes in the county of Clinton, reported the same back without amendment and reported adverse to its passage, which report was accepted,

the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

On motion of Mr. Hawley,

*Resolved*, That the committee on state affairs be instructed to inquire into the expediency of providing by law for the support, by the state, of all paupers who have not resided in the state over six months at the time of their application for relief.

Mr. Buck offered the following resolution, which was not adopted, viz:

*Resolved*, That this House will hereafter hold two daily sessions, commencing at ten o'clock in the forenoon, and two o'clock in the afternoon.

Mr. Pennoyer, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the collection of taxes in the township of Norton, county of Ottawa, for the year 1848, which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. Pennoyer,

The rule was suspended, so as to enable the bill to be read the third time to-day, and the engrossment having been dispensed with, the bill was placed on the order of bills for a third reading.

Mr. Fox, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter ninety-three of the revised statutes of 1846, and

A bill for the relief of the township of Waterloo, in the county of Jackson:

Which were severally read twice and referred to the committee on the judiciary.

Mr. J. W. Turner offered the following resolution:

*Resolved*, That the House will not adjourn unless otherwise ordered to-day, until after the Senate have adjourned.

Mr. Buck moved that the resolution be laid on the table, which motion was lost, by yeas and nays, as follows:

YEAS.

Mr. Andrews,  
Bowne,  
Buck,  
Burk,  
Campbell,

Mr. Earl,  
Fox,  
A. Gillet,  
M. S. Gillett,  
Haight,

Mr. Moffatt,  
Mulhollen,  
Salzer,  
Smith,  
St. Clair,

Chamberlain,  
Chittenden,  
H. H. Comstock,  
Dayton,

Hammond,  
Hobart,  
Lovell,  
Matthews,

Tilden,  
Turrill,  
Waite,

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## NAYS.

Mr. Allen,  
Bacon,  
Belding,  
Cady,  
Coman,  
O. C. Comstock,  
Curtis,  
David,  
Davis,  
Deming,  
Ferguson,

Mr. Flower,  
Harger,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
McNair,  
McNeil,  
Moran,  
Morton,  
Mosher,

Mr. O'Malley,  
Parkhurst,  
Pennoyer,  
Stevens,  
Stoddard,  
G. B. Turner,  
J. W. Turner,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker,

33

Mr. Chamberlain moved that the further consideration of the resolution be indefinitely postponed, which motion prevailed, by the following vote:

## YEAS.

Mr. Andrews,  
Bowne,  
Buck,  
Burk,  
Campbell,  
Chamberlain,  
H. H. Comstock,  
Dayton,  
Earl,

Mr. Fox,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Hawley,  
Hobart,  
Lovell,  
Matthews,

Mr. Moffatt,  
Mulhollen,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Turrill,  
Tuttle,  
Waite,

27

## NAYS.

Mr. Allen,  
Bacon,  
Belding,  
Cady,  
Chittenden,  
Coman,  
O. C. Comstock,  
Curtis,  
Davis,

Mr. Deming,  
Flower,  
Harger,  
Holmes,  
Kilborn,  
Lockwood,  
McNair,  
McNeil,  
Mosher,

Mr. O'Malley,  
Parkhurst,  
Stevens,  
G. B. Turner,  
J. W. Turner,  
Wilkinson,  
Wright,  
Speaker,

26

Mr. Pennoyer gave notice that he would on some future day ask leave to introduce a bill to provide for payment for wood, lights, and other expenses of the legislature and state officers.

Mr. H. H. Comstock gave notice that on some future day he would ask leave to introduce a bill providing for laying out a state road from Otsego, in the county of Allegan, to Grand Rapids, in the county of Kent, and

A bill amending the law defining the duties of highway commissioners and overseers of highways.

Mr. Tilden gave notice that on some future day he would ask leave to introduce a bill to exempt certain personal estate from taxation.

Mr. H. H. Comstock offered the following resolution:

*Resolved*, That any further attempt to elect a United States Senator by the present legislature, is futile and can only result in defeating the useful legislation demanded by our constituents, and that this body is opposed to the election of any individual who is not opposed to the extension of slavery over territory now free, whether acquired by conquest or otherwise.

Mr. Deming moved to amend the resolution by prefixing the following preamble:

*Whereas*, The undersigned, democratic members of the legislature of the state of Michigan, having seen with regret, charges made against a portion of them, in which they are accused of being "disorganizers" on account of their opposition to the return of Lewis Cass to the United States Senate, submit to the candid consideration of the democratic party of this state, the following statement of facts: of the correctness of which they feel fully assured.

At the opening of the present session, Gov. Ransom and Gen. Cass were the two prominent candidates for election to the United States Senate. It had been rumored that Gen. Cass would be pleased to accept the office, if tendered to him with unanimity, and not otherwise. The friends of Gov. Ransom, from his own locality, vested their claim in part upon the ground that they had never had a Senator from the west; and they, with others who also supported him upon the further ground that the *people* of the state had long looked upon him as a fit person for the station; that his election would secure harmony in the democratic party; and upon the still further ground that when, in 1845, Gen. Cass, with a view to the approaching presidential campaign of 1848, desired a unanimous vote of the democrats in the legislature, Gov. Ransom, *then* the choice of the west and other portions of the state, unhesitatingly withdrew his name from the canvass and urgently recommended to his (Gov. Ransom's) friends the support of Gen. Cass; and again, for the reason that the western democracy had reason to expect and understand that should a vacancy occur (as at present) that the claims of the west should be listened to and faithfully answered.

The failure of Gen. Cass in the late contest for the presidency, although alleged as a good reason that he should now be supported is not deemed to be such by the undersigned, who are frank to acknowledge that they can see no justification for a breach of plighted faith—such as the undersigned have reason to believe was given and continued up to the time of the late election. But those who now stand opposed to the re-election of Gen. Cass to the United States Senate, are impelled from another and more weighty reason; that which most probably had a strong tendency towards his defeat in the late election for the presidency, and which we are led to believe would, if he were elected at the present crisis to the United States Senate, endanger the harmony and perhaps work the defeat of the democratic party in this state. Their opposition (aside from the reasons above set forth) IS AN OPPOSITION BASED UPON PRINCIPLE. They believe in the cardinal doctrine of our political faith, "principles, not men," and although yielding a cordial support to Gen. Cass for president, as the regular nominee of the Baltimore convention, and as the exponent of most of the doctrines of the democratic party, they at the same time now say that they cannot yield to him as a candidate for Senator, one principle or right.

The strong feeling of opposition to the extension of human slavery which takes so deep a hold of the sympathies of the democratic masses; the settled conviction that precedent has established beyond a doubt the right of Congress to legislate upon the subject; and the almost universal belief that it is their duty to do so, are sufficient reasons to determine the undersigned never to yield their assent to the surrender of the principles they now hold dear, for the elevation of any human being. Their duty as the representatives of a large portion of the constituency of this state, demands that, in the contest for principle, no threats or attempts to intimidate should for a moment cause them to falter when in the path of duty; and whatever may be the result of the present canvass, they are fully satisfied they are on the side of right.

One only allegation against the position of the undersigned, is deemed of sufficient consequence to demand from them a justification: the charge of being "bolters." It is alleged in the language of a correspondent of the Detroit Free Press, that "at a caucus *fairly called*, Gen. Cass was nominated."

The following is a statement of the facts attendant upon the call, and the reasons for the position now occupied by us who have disregarded the proceedings of that caucus.

It has been customary heretofore for the two Houses either to fix upon the time for meeting to elect such officers as are to be chosen by the legislature, or in case a time is fixed by law, to await the near approach of that time, and thereupon to call a caucus of the democratic members of the two Houses, for the purpose of effecting a nomination that all may support. This, it is understood, has heretofore been done by committees of each House, appointed for the purpose of making the call.

In the present instance, no day for the election or nomination was fixed before the caucus was held. It was not called by a committee, but was got together (as we think) under peculiar circumstances, which we now feel bound to state. About the middle of the first week of the session, Gov. Ransom and Gen. Cass being the only candidates talked of, or who appeared to be prominent, a friend of Gen. C.'s, from Detroit, (as we understood) made a statement substantially as follows: "That he had received a letter written by Gen. Cass, addressed to a member of the legislature, in which Gen. C. declined being a candidate. That he was desirous of having Gov. Ransom elected, and that it would be all straight; that the person to whom the letter was addressed would at present communicate it to none but Gov. R.'s friends, but at the proper time, when a caucus was called, the letter should be produced in the caucus and Gen. C.'s name withdrawn;" with other like expressions and assurances, tending and seeming to be meant to quiet any fears of those who might be opposed to the election of Gen. Cass. The letter, or a copy, was read to several such persons, and the following is believed to be a correct copy of the letter, as it was taken down immediately after hearing it read:

"DETROIT, January —, 1849.

"MY DEAR SIR:—As I stated in a conversation with you some time since, I have come to the settled conviction that my name must not be used in the canvass for the election of U. S. Senator. Should any of my friends desire to present my name in connection with that office, you will please tender them my thanks for their kindness, and say to them that I cannot consent to be considered among the number of those from whom a selection is to be made.

Yours, &c.,

LEWIS CASS."

The undersigned refrain from giving the names of those who par-

anticipated in the above assurances and subsequent suppression of the letter, as they desire nothing more than to present facts, disclaiming any intent to impugn the motives of any individual.

The assurances and letter tended (as they seem to have been designed to do) to lull the apprehension of many of those who stood opposed to the re-election of General Cass. Was the pledge fulfilled? Let us see. Within the same first week, (and it is believed to have been on Thursday,) a meeting of some fifteen or sixteen persons who desired to re-elect Gen. Cass, was held, reports were received from individuals who had been industriously getting the pledges of members to support Gen. Cass, the number of those were computed, and it was ascertained that *as matters then stood* Gen. Cass could get a majority in caucus; thereupon the said letter was suppressed, and a statement of Gen. Cass' position, *differing from that in the letter* was drawn up to be used in caucus (as we are assured) by which it was determined to support him *without asking his consent*. To effect the organization, as there were not over twenty members who preferred Gen. Cass to any other person, the opponents of Governor Ransom were appealed to, and urged that they could defeat him (Gov. R.) with no other individual but Gen. Cass. Among the opponents of Gov. Ransom, and the most bitter of any, were those who were in favor of *the bills* from which the executive sanction was withheld at the last session of the legislature.

In the meeting above stated were individuals not belonging to the legislature and professing to represent Gen. Cass, one of whom had made the above assurances. In fraud, then, as we believe, of the prior pledge to Gov. Ransom and his friends, this combination was effected, and thereupon a call was circulated for a caucus for Friday evening, which was signed by several members through inadvertance; others refused to sign it, having been advised of the above proceedings and believing them to be a fraud upon the party. In that caucus, democrats to the number of twenty-five or thirty refused to take a part. The caucus was then adjourned to Saturday evening, and notice given to the absentees to attend. The notice was disregarded—Gen. Cass was nominated—and upon that ground those who were absent have been denounced as “disorganizers.” Those who have thus far voted in the Senate to prevent an election, and those voting against Gen. Cass in the House, are accused of co-operating with

the whigs, &c., and all because the "pliant hinge of the knee" is not bent at a nod.

Much as we respect party usages, and much as we are attached to conventions and caucuses *fairly called*, we have yet the firm conviction that all unbiased observers of our action in this regard will never impute aught of blame to those who have withstood the action of that caucus into which the minority were invited, to see how the majority could overwhelm them, and at one fell blow scatter to the winds one of the dearest principles for which it is our pride to contend: opposition to the extension of slavery.

The undersigned, from the above statements, submit, that the calling of the above caucus, was contrary to party usage, no time being fixed, either by concurrent resolution or by statute, for the election of a United States Senator. No committee of either House having been appointed for the purpose of making the call—it being called precipitately, there being no necessity, under the law for holding the election until *Thursday* of the succeeding week. And further, that the suppression of said letter after the assurance given as above stated, was a gross, wilful, premeditated and unparalleled *fraud*, vitiating all action in the caucus, called pursuant to and in furtherance of the manifest fraudulent intent of those who effected their sinister purposes of deception. In saying this the undersigned *expressly disavows any reference to any member of the legislature*, being willing to believe that all such acted in good faith, and without any intention to perpetrate a fraud. At the same time we are satisfied that others, for selfish purposes, designedly brought about a state of things, which in a certain contingency, may work a temporary, if not a permanent injury to the democratic party. The names of those who participated in that movement we do not now design to give to the public, and shall probably never do it, unless driven by self-defence to expose them.

It may be that even they had no intention of doing a wrong. Yet while we would forbear to condemn, we must at the same time be permitted to state, that whether intended or not, we consider the transaction one of the most perfect specimens of political treachery which has taken place in our day; or at least under our observation. We hardly dare believe those engaged in it were fully aware of its consequences.

In conclusion, the undersigned would say, whatever may be the result, and whoever may be elected United States Senator, we are



cordially desirous of maintaining in the democratic party that union and harmony which has so long given it the ascendancy. The great political struggle through which the country has just passed, is an evidence that never were democrats called upon to sacrifice every thing for the cause, more than at present. The minds of the people of our own state, as well as others, have been fully brought to bear upon the great subjects which agitate the country. The people call upon us for a response upon the one question which has been most agitated. This legislature has passed resolutions expressive of their views, and we believe they will meet a cordial response from a large majority of all. Divested of the question of "who was to be the United States Senator," we have no doubt that nineteen-twentieths of the present legislature would have voted for the resolutions. The feeling upon that question was so great as to induce many to believe those resolutions were designed to effect the Senatorial question. *They* were but the echo of the deep, abiding and settled conviction of the people, and few of those who voted against them have (as we believe) other reasons than their fear of the intent to affect that question. Believing this, we blame them not, but gladly accord to them purity of intent and worthiness of motive; at the same time, being fully satisfied that they were mistaken. The same honesty of purpose we concede also, to the friends of Gen. Cass, who were desirous of returning him to the United States Senate. Actuated, no doubt, by a sincere desire for the good of the whole, they are pressing his election.

Were it for any station in which the principle we have alluded to, would not likely be brought in question—were it to compliment him upon his superior intellect, statesman-like qualities, or well earned fame, we would be foremost in awarding him the meed of praise, and conferring upon him the reward of merit. Conceding, as we do, to those who, in the present instance, are his supporters for that high station, purity of motive, we claim for ourselves, also from them, the same concessions. And placing our action upon the high ground of defence of a principle, we cannot surrender.

We claim that we too have been actuated by an honesty of purpose. We are desirous for the promotion of good feeling and mutual concession. With such views and such feelings, the star of our faith will continue in the ascendancy, and democracy again triumph.

The question being on the adoption of the amendment,

Mr. J. W. Turner rose to debate the question, and while speaking, Mr. Moffatt moved an adjournment.

The Speaker decided the motion to be out of order, as it was not competent for one member to make a motion while the floor was occupied by another.

Mr. Chamberlain appealed from that decision, and

On motion of Mr. Buck,

The appeal was laid on the table.

A committee from the Senate was announced, consisting of Senators Summers and McKinney, who announced that the Senate had nominated a Senator in Congress, and that they were now ready to meet the House in joint convention and compare nominations.

Mr. Hawley moved that the resolution offered by Mr. H. H. Comstock, together with the amendment thereto, be laid on the table.

Pending which,

Mr. Chamberlain moved an adjournment, which motion was decided in the negative by the following vote:

#### YEAS.

Mr. Bowne,  
Buck,  
Chamberlain,

Mr. Dayton,  
Matthews,

Mr. Salyer,  
Waite,

7

#### NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Burk,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
David,  
Davis,  
Deming,  
Earl,  
Flower,  
Fox,

Mr. Ferguson,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
Lovell,  
McNair,  
McNeil,  
Moffatt,  
Moran,  
Morton,

Mr. Mosher,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker,

52

The question then recurring on the motion to lay on the table, it was decided in the affirmative.

Mr. Hawley moved the appointment of a committee to wait on the Senate and inform them that the House had made a nomination

for Senator in Congress, and were now ready to meet them in joint convention and compare nominations, which motion prevailed, and

The Speaker appointed Messrs. Hawley and G. B. Turner as such committee, who, after a short absence, returned and reported that they had discharged the duty assigned to them.

On motion of Mr. Buck,

A call of the House was had, when it was found Messrs. Coe, Giddings and Hatch were absent on leave, and Mr. Ingersoll was absent without leave.

All further proceedings under the call were dispensed with.

The Honorable the Senate of the state of Michigan was then announced, and the Senators were conducted to seats.

#### PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary, when it was found that the Senators were all present.

The roll of the House was called by the Clerk, when the Representatives all answered to their names except Messrs. Coe, Giddings, Hatch and Ingersoll.

The Speaker of the House of Representatives announced that Lewis Cass had been nominated on the part of the House for Senator in Congress.

The President of the Senate announced that Epaphroditus Ransom had been nominated by the Senate for Senator in Congress.

The nominations of the two Houses not agreeing,

Senator Summers moved that the joint convention proceed to elect a Senator in Congress to fill the vacancy occasioned by the resignation of Lewis Cass, which motion prevailed.

The rolls of the two Houses were then called by the Secretary and Clerk, when the Senators and Representatives severally rose in their places and voted as follows:

#### FOR LEWIS CASS:

##### *Senators.*

Mr. Berry,  
Dort,  
Dunham,  
Griswold,

Mr. Hart,  
King,  
Redfield,  
Shoemaker,

Mr. Snow,  
Summers,  
Waldo,

## FOR EPAPHRODITUS RANSOM:

Mr. Finley, McCabe,	Mr. McKinney, Robinson,	Mr. Roof, Thompson,	6
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## FOR JOSEPH R. WILLIAMS:

Mr. Baxter, Isbell,	Mr. Walbridge,	Mr. Webb,	4
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## FOR KINSLEY S. RINGHAM:

Mr. Loomis,			1
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## FOR LEWIS CASS:

*Representatives.*

Mr. Allen, Belding, Cady, Chittenden, Coman, O. C. Comstock, Curtis, David, Davis, Deming, Ferguson,	Mr. Flower, Fox, Harger, Hartsuff, Hawley, Holmes, Kilborn, Lockwood, McNair, McNeil, Moran,	Mr. Morton, Mosher, O'Malley, Parkhurst, Stevens, Stoddard, J. W. Turner, Tuttle, Wilkinson, Wright, Speaker,	33
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## FOR JOSEPH R. WILLIAMS:

Mr. Buck, Dayton, Earl, A. Gillet, M. S. Gillett,	Mr. Haight, Hammond, Hobart, Moffatt,	Mr. Mulhollen, Salzer, Turrill, Waite,	13
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## FOR EPAPHRODITUS RANSOM:

Mr. Andrews, Bacon, Bowne, Burk,	Mr. Campbell, Chamberlain, H. H. Comstock, Matthews,	Mr. Pennoyer, Smith, G. B. Turner,	14
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## FOR FLAVIUS J. LITTLEJOHN:

Mr. Lovell,	Mr. Tilden,		2
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## FOR S. A. HOLBROOK:

Mr. St. Clair,			1
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Senator Griswold offered the following resolution:

*Resolved, by the Senate and House of Representatives of the State of Michigan, in joint convention assembled, That Lewis Cass be and he is hereby declared duly elected to the office of Senator in Congress for this state, to fill the vacancy occasioned by his own resignation.*

Senator Finley moved to amend the resolution by striking out the word "duly," which amendment was accepted by Senator Griswold.

Senator Thomson moved that the resolution be laid on the table, which motion was lost, by the following vote:

*Senators.*

YEAS.

Mr. Baxter, Finley, Isbell, Loomis,	Mr. McCabe, McKinney, Roof,	Mr. Thomson, Walbridge, Webb,	10
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NAYS.

Mr. Berry, Dort, Dunham, Griswold,	Mr. Hart, King, Redfield, Robinson,	Mr. Shoemaker, Snow, Summers, Waldo,	12
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*Representatives.*

YEAS.

Mr. Andrews, Bacon, Bowne, Burk, Chamberlain, Dayton,	Mr. Earl, A. Gillet, Haight, Hobart, Lovell, Matthews,	Mr. Moffatt, Mulhollen, Salyer, G. B. Turner, Turrill, Waite,	18
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NAYS.

Mr. Allen, Belding, Buck, Cady, Campbell, Chittenden, Coman, Curtis, H. H. Comstock, O. C. Comstock, David, Davis, Deming, Ferguson,	Mr. Flower, Fox, M. S. Gillett, Hammond, Harger, Hartsuff, Hawley, Holmes, Kilborn, Lockwood, McNair, McNeil, Moran, Morton,	Mr. Mosher, O'Malley, Parkhurst, Pennoyer, Smith, St. Clair, Stevens, Stoddard, Tilden, J. W. Turner, Tuttle, Wilkinson, Wright, Speaker,	42
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Senator McKinney moved that the further consideration of the resolution be indefinitely postponed, which motion was decided in the negative, by the following vote:

*Senators.*

## YEAS.

Mr. Baxter,  
Finley,  
Isbell,

Mr. Loomis,  
McKinney,  
Thomson,

Mr. Walbridge,  
Webb,

8

## NAYS.

Mr. Berry,  
Dort,  
Dunham,  
Griswold,  
Hart,

Mr. King,  
McCabe,  
Redfield,  
Robinson,  
Roof,

Mr. Shoemaker,  
Snow,  
Summers,  
Waldo,

14

*Representatives.*

## YEAS.

Mr. Andrews,  
Bacon,  
Bowne,  
Burk,  
Chamberlain,  
Earl,

Mr. A. Gillet,  
M. S. Gillett,  
Hobart,  
Lovell,  
Matthews,  
Moffatt,

Mr. Mulhollen,  
Salyer,  
Tilden,  
G. B. Turner,  
Waite,

17

## NAYS.

Mr. Allen,  
Belding,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
David,  
Davis,  
Dayton,  
Deming,  
Ferguson,

Mr. Flower,  
Fox,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
McNair,  
McNeil,  
Moran,  
Morton,

Mr. Mosher,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
J. W. Turner,  
Turrill,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker,

43

Mr. Buck moved the previous question, which was demanded by a majority, and the main question was ordered to be now put.

Senator Thomson moved an adjournment, but the joint convention refused to adjourn, by the yeas and nays, as follows:

*Senators.*

## YEAS.

Mr. Baxter,  
Finley,  
Loomis,

Mr. McCabe,  
McKinney,  
Thomson,

Mr. Walbridge,  
Webb,

8

## NAYS.

Mr. Berry,  
Dort,  
Dunham,  
Griswold,  
Hart,

Mr. King,  
Redfield,  
Robinson,  
Roof,

Mr. Shoemaker,  
Snow,  
Summers,  
Waldo,

13

*Representatives.*

## YEAS.

Mr. Andrews,  
Bowne,  
Buck,  
Burk,  
Chamberlain,  
Dayton,  
Earl,

Mr. A. Gillet,  
Haight,  
Hammond,  
Hobart,  
Lovell,  
Matthews,

Mr. Moffat,  
Mulhollen,  
Salyer,  
Smith,  
Turrill,  
Waite,

19

## NAYS.

Mr. Allen,  
Bacon,  
Belding,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
David,  
Davis,  
Deming,  
Ferguson,

Mr. Flower,  
Fox,  
M. S. Gillett,  
Harger,  
Hartsuff,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
McNair,  
McNeil,  
Moran,  
Morton,  
Mosher,

Mr. O'Malley,  
Parkhurst,  
Pennoyer,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker,

41

The main question, being on the adoption of the resolution, was then put and decided in the affirmative, by the following vote:

*Senators.*

## YEAS.

Mr. Baxter,  
Berry,  
Dort,  
Dunham,  
Griswold,

Mr. Hart,  
King,  
Redfield,  
Robinson,  
Roof,

Mr. Shoemaker,  
Snow,  
Summers,  
Waldo,

14

## NAYS.

Mr. Finley,  
Loomis,  
McCabe,

Mr. McKinney,  
Thomson,

Mr. Walbridge,  
Webb,

7

*Representatives.*

## YEAS.

Mr. Allen,  
Belding,

Mr. Deming,  
Ferguson,

Mr. Moran,  
Morton,

16

Burk,	Flower,	Mosher,
Cady,	Fox,	O'Malley,
Campbell,	Hammond,	Parkhurst,
Chittenden,	Harger,	Pennoyer,
Coman,	Hartsuff,	Stevens,
H. H. Comstock,	Hawley,	Stoddard,
O. C. Comstock,	Holmes,	J. W. Turner,
Curtis,	Kilborn,	Tuttle,
David,	Lockwood,	Wilkinson,
Dayton,	McNair,	Wright,
Davis,	McNeil,	Speaker, 39

## NAYS.

Mr. Andrews,	Mr. M. S. Gillett,	Mr. Salyer,
Bacon,	Haight,	Smith,
Bowne,	Hobart,	St. Clair,
Buck,	Lovell,	Tilden,
Chamberlain,	Matthews,	G. B. Turner,
Earl,	Moffatt,	Turrill,
A. Gillet,	Mulhollen,	Waite, 21

Mr. H. H. Comstock moved that the last vote be reconsidered.

Pending which,

On motion of Senator Thomson,

The joint convention adjourned *sine die*.

W. L. BANCROFT,

*Secretary of the Senate.*

A. W. HOVEY,

*Clerk of the House of Representatives.*

The Speaker called the House to order, when

Mr. Waite moved an adjournment, which motion prevailed, and

The House adjourned.

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*Monday, January 22, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Mr. Hatch was absent on leave, and Messrs. Allen, Belding, Coe, Giddings, A. Gillet, Harger, Hartsuff, Ingersoll, Lovell, Morton, Mosher, Stevens, and J. W. Turner were absent without leave.



Mr. Deming asked and obtained leave of absence for Mr. Mosher for an indefinite period, and for Mr. Lovell for one day.

Mr. Waite for Mr. A. Gillet, for one day.

Mr. Pennoyer for Mr. Allen, for one day.

Mr. Bowae for Mr. Giddings, for one day.

Mr. O. C. Comstock for Mr. Coe, for an indefinite period.

Mr. Campbell for Mr. Hartsuff, as above.

Mr. Chittenden for Mr. Stevens, as above.

Mr. McNair for Mr. J. W. Turner, as above.

Mr. Mulhollen for Mr. Morton, for four days.

Mr. Davis for Messrs. Belding and Harger, for one week.

Mr. O'Malley for Mr. Ingersoll, for two days.

Mr. G. B. Turner for Mr. Bacon, for one week from and after to-day.

On motion of Mr. Hawley,

The rule requiring the reading of the journal was suspended.

Mr. Parkhurst presented the petition of Amasa D. Chapman and forty-seven others of Oakland county, for an office to be located in Pontiac for the reception of moneys due for school lands; referred to the committee on school lands.

Mr. Pennoyer presented the petition of the board of supervisors of Kent county, for an appropriation of internal improvement lands to aid in the construction of a bridge across Grand river at the mouth of Flat river, in the township of Lowell, in said county; referred to the committee on internal improvement.

Mr. O'Malley presented the petition of Jacob Sammons and thirty-six others of the county of Michilimackinac, for the organization of a new township by the name of Bainbridge; referred to the committee on the organization of townships and counties.

Mr. Wilkinson presented the petition of inhabitants of the township of Fairfield, Lenawee county, to reinstate section one hundred and forty of chapter fifty-eight of the revised statutes of 1846; referred to the committee on education.

Mr. Fox presented the petition of Stephen Dow and forty-nine others, of the town of Lyndon, Washtenaw county, for an act legalizing their township records in matters of form; referred to the committee on roads and bridges.

Mr. Smith presented the petition of John Hagadon, of Kent county, for the passage of an act allowing him to purchase certain salt

spring lands upon which he resides, at one dollar and twenty-five cents per acre; referred to the committee on public lands.

Mr. Smith also presented the petition of Smith Lapham and thirty-five others, of the township of Plainfield, in Kent county, for a division of said township; referred to the committee on the organization of townships and counties.

Mr. Curtis presented the petition of citizens of Macomb county, for an alteration in the boundaries of the township of Warren; referred to the committee on the organization of townships and counties.

Mr. O. C. Comstock, from the committee on education, reported a bill to amend chapter fifty-eight of the revised statutes of 1846, and

A bill to provide for the better education of primary school teachers,

Which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, reported a bill to provide for the payment for wood, lights and other incidental expenses of the legislature and state offices, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Kilborn, from the committee on public lands, reported a bill to provide for the removal of the state land office to the seat of government, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, January 19, 1849.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a "concurrent resolution adopting the rules of the Senate and House of Representatives in joint convention," and to respectfully inform you that the Senate have concurred therein.

I am further instructed to inform you that the Senate have concurred in the amendments of the House to the bill to amend chapter eighty-nine of the revised statutes of 1846, relative to fixing the

terms of the circuit courts, and have ordered the same as amended to be enrolled.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

Mr. Hawley offered the following resolution:

*Resolved*, That hereafter there be but two hundred copies of the daily journal of this House ordered printed for the use of the House.

On motion of Mr. Tilden,

The action of the twentieth rule was suspended, when he asked and obtained leave to introduce a bill to extend the time for the collection of taxes in the city of Monroe, which was read twice and ordered to be engrossed for a third reading.

Mr. Tilden moved that the action of the twenty-first rule be suspended, so that the bill might be read the third time to-day, which motion prevailed, and the engrossment having been dispensed with, the bill was placed on the order of bills for a third reading.

Mr. Deming, pursuant to previous notice, given by Mr. J. W. Turner, asked and obtained leave to introduce a bill relative to the publication of laws and joint resolutions, which was read twice and referred to the committee on the judiciary.

Mr. Fox gave notice that on some future day he would ask leave to introduce a bill to amend section one of chapter one hundred and fifty-three of the revised statutes of 1846.

Mr. M. S. Gillett sent up to the chair the following concurrent resolution, which, under the fifteenth rule, lays on the table at least one day:

*Resolved*, (the Senate concurring,) That this legislature will, on Monday, the twelfth day of February next, adjourn *sine die*.

Mr. Chamberlain, by unanimous consent, previous notice not having been given, asked and obtained leave to introduce a bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien, which was read twice and ordered to be engrossed and read the third time.

On motion of Mr. Chamberlain,

The rule was suspended so that the bill might be read the third time to-day, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. Lockwood gave notice that he would on some future day ask

leave to introduce a bill appropriating certain non-resident highway taxes on the road between the villages of Milford and Pontiac, in Oakland county.

Mr. Cady gave notice that he would on some future day ask leave to introduce a bill to authorize Asquire W. Aldrich to build a dam across Clinton river, in the county of Macomb.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce a bill to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, and

A bill to incorporate the president, directors and company of the Peninsula bank, which were severally read twice and referred to the committee on banks and incorporations.

The following entitled bills and joint resolution were severally read a third time and passed, viz:

A bill to amend an act entitled an act authorizing any persons to construct lines of electric telegraph in the state of Michigan;

A bill to amend an act to provide for laying out and establishing a state road from Albion to Eaton Rapids, and to make an appropriation for opening and improving the same;

A bill to authorize the construction of a free bridge across St. Joseph river, at or near the mouth of McCoy's creek;

A bill to provide for the collection of taxes in the township of Norton, in the county of Ottawa, for the year 1848;

A bill to extend the time for the collection of taxes in the city of Monroe;

A bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien; and

A joint resolution for the relief of John Lee.

Mr. H. H. Comstock moved an adjournment, but the House refused to adjourn.

The House then resolved itself into a committee of the whole on the general order, Mr. Deming in the chair, and after spending some time thereon the committee rose and by their chairman reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the Phoenix copper company, and

A bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county;

And also reported back without amendment,

A bill to amend section two of chapter seventy-eight of the revised statutes of 1846; and

A joint resolution proposing an amendment to the constitution relative to certain public officers;

Which last named bill and joint resolution were severally ordered to be engrossed and read the third time.

The amendment reported to the bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county, was concurred in.

On motion of Mr. G. B. Turner,

The bill was further amended by inserting the words, "at his own expense" after "craft," in the sixth line of section two.

The bill was then ordered to be engrossed and read the third time.

The amendments reported to the bill to incorporate the Phoenix copper company were severally concurred in.

On motion of Mr. Ferguson,

The bill was further amended by striking out of the second line of section eight the words "not exceeding one hundred dollars," and by adding to the end of the section the words, "and all claims less than one hundred dollars shall have precedence over larger claims."

The bill was then ordered to be engrossed and read the third time.

Mr. Deming, by common consent, moved that the committee of the whole be discharged from the further consideration of the bill to extend the time for the collection of taxes for the year 1848, under an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and the acts amendatory thereto, which motion prevailed, and

The bill was ordered to be engrossed and read the third time.

On motion of Mr. McNair,

The House adjourned.

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*Tuesday, January 23, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Richards.

The roll was called, and Mesars. Bacon, Belding, Coc, Harger, Hartsuff, Ingersoll, Morton, Mosher, Stevens and J. W. Turner, were absent on leave, and Mesars. Bowne, H. H. Comstock, Flower and Giddings were absent without leave.

Mr. Lockwood asked and obtained leave of absence for Mr. H. H. Comstock for the day.

Mr. Deming for Mr. Bowne, for an indefinite time.

Mr. Curtis for Mr. Flower, as above.

Mr. Earl for Mr. Giddings, as above.

The journal of yesterday was read and approved.

The Speaker presented the memorial of the grand jury of Wayne county, asking the repeal of the law abolishing capital punishment, referred to the committee on the judiciary.

Mr. Fox presented the petition of Samuel R. Munro, for relief, on account of damages sustained upon the railroad; referred to the committee on claims.

Mr. Cady presented the petition of Alfred Ashley, Neil Gray and thirty others, of Macomb and Lapeer counties, for the incorporation of a company to construct a plank road from the village of Ashley to the village of Almonte; referred to the committee on banks and incorporations.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to amend section two of chapter seventy-eight of the revised statutes of 1846;

A bill to extend the time for the collection of taxes for the year eighteen hundred and forty-eight, under an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and the acts amendatory thereto;

A bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county;

A bill to incorporate the Pecenix copper company; and

A joint resolution proposing an amendment to the constitution relative to certain public officers.

Mr. Pennoyer, from the committee on ways and means, submitted the following reports, which were severally accepted and the committee discharged from the further consideration of the subjects, viz:

The committee on ways and means, to whom was referred the me-

memorial of the township board of the town of Ida, in the county of Monroe, and other citizens of said township, beg leave to report, that in the opinion of your committee, no legislative action is necessary for the reason that the privileges sought for are now available under existing provisions of law.

Your committee would respectfully refer the memorialists to section three of chapter sixteen of the revised statutes of 1846.

The committee on ways and means, to whom was referred the petition of H. S. Roberts and others, late officers of Michigan volunteers, praying compensation for services while recruiting prior to being mustered into the service of the United States, have instructed me to report adverse to the prayer of the petitioners, for the reason that the compensation asked for should, in the opinion of your committee, be obtained through the action of Congress, instead of the legislature of the state of Michigan.

Mr. Davis, from the committee on roads and bridges, to whom was referred the Senate bill to authorize Erie Prince and William H. Chillson to build a dam across the Thornapple river, in the county of Kent, reported the same back without amendment, and recommended its passage, which report was accepted; the committee discharged from the further consideration of the subject; and

The bill was referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 22, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith joint resolution directing the Secretary of State to furnish certain statutes, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked.

I am further instructed to transmit herewith the following entitled bill and joint resolution, which the Senate have passed, and in which the concurrence of the House is asked, viz:

A bill to authorize the commissioner of the state land office to sell certain primary school lands;

Joint resolution to encourage immigration.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate amendment to the joint resolution directing the Secretary of State to furnish certain statutes, was concurred in, and the joint resolution as amended was ordered to be enrolled.

The Senate joint resolution to encourage immigration was read twice and referred to the committee on state affairs.

The Senate bill to authorize the commissioner of the state land office to sell certain primary school lands, was read twice and referred to the committee on public lands.

Mr. Moffatt gave notice that on some future day he would ask leave to introduce a bill to incorporate the Temple building company of Battle Creek.

The bill to amend section two of chapter seventy-eight of the revised statutes of 1846; and

A bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county,

Were severally read the third time and passed.

The bill to incorporate the Phoenix copper company was read the third time and passed by a two-thirds vote.

The joint resolution proposing an amendment to the constitution relative to certain public officers, was read a third time, and

On motion of Mr. Hawley,

Laid on the table.

The bill to extend the time for the collection of taxes for the year 1848, under an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and the acts amendatory thereto, was read the third time, and

On motion of Mr. Chamberlain,

Recommitted to the committee on state affairs, with instructions to amend the same by striking out the fourth section.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the joint resolution directing the Secretary of State to furnish certain statutes, was correctly enrolled, and was this day presented to the Governor for his approval.

The House then resolved itself into a committee of the whole on the general order, Mr. Tilden in the chair, and after some time spent thereon the committee rose, and by their chairman reported back to the House, without amendment,

A bill to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the river



pids of Grand river at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 23, 1848;

A bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate;

A bill to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors;

A bill to amend chapter fifty-eight of the revised statutes of 1846;

A bill to provide for the punishment of certain offences;

A bill to extend the time for the collection of taxes in the county of Clinton;

A bill to authorize Erie Prince and William H. Chillson to build a dam across Thornapple river, in the county of Kent;

A joint resolution in relation to the transportation of the United States mail through Canada; and

A joint resolution appointing the Michigan State Journal the state paper, and for other purposes.

The committee also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to provide for the removal of the state land office to the seat of government;

A bill to provide for the better education of primary school teachers; and

A joint resolution relative to salt spring lands in the town of Saline.

On motion of Mr. Lockwood,

The House adjourned.

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*Wednesday, January 24, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Bacon, Belding, Bowne, Coe, Flower, Harger, Hartsuff, Morton, Mosher, Stevens and J. W. Turner were absent on leave, and Messrs. Allen and M. S. Gillett were absent without leave.

Mr. Burk asked and obtained leave of absence for Mr. Allen for one day.

Mr. St. Clair for Mr. M. S. Gillett, for eight days.

On motion of Mr. Lockwood, the action of the rule requiring the reading of the journal, was suspended.

Mr. Parkhurst presented the petition of H. C. Thurber and others, of Pontiac, for an extension of the time for the collection of taxes in said township; referred to the committee on ways and means.

Mr. Hammond presented the petition of C. R. Sherman and sixty-eight others, for an appropriation for the improvement of a certain road in Eaton county; referred to the committee on internal improvement.

Mr. Ingessoll presented the claim of H. H. Dunklee & Co., which was referred to the committee on claims.

Mr. Pennoyer presented the petition of John V. Hopkins and sixty-seven others, of the township of Norton, in the county of Ottawa, for the organization of a new township; referred to the committee on the organization of townships and counties.

Mr. Pennoyer also presented the petition of James Hudson and sixty-six others, asking the right to purchase certain lands therein described; referred to the committee on public lands.

Mr. Wilkinson presented the petition of inhabitants of the village of Adrian, for an amendment to the license law; referred to the committee on state affairs.

Mr. Smith presented the petition of Robert Hilton, relative to certain salt spring lands; referred to the committee on public lands.

Mr. Andrews, from the committee on state affairs, reported back the bill to extend the time for the collection of taxes for the year 1848, under an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and the acts amendatory thereto, amended in accordance with the instructions of the House, which report was accepted and the committee discharged from the further consideration of the subject, and

The question being on the passage of the bill, it was decided in the affirmative.

Mr. Andrews, from the same committee, to whom was referred the Senate joint resolution to encourage immigration, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged, and

The joint resolution was referred to the committee of the whole and placed on the general order.

Mr. O. C. Comstock, from the committee on education, made the following report which was accepted and the committee discharged from the further consideration of the subject:

The committee on education, to whom was referred the petition of the inhabitants of the township of Fairfield, in the county of Lenawee, to reinstate section one hundred and forty of chapter fifty-eight of the revised statutes of 1846, would respectfully report, that the section repealed, which the petitioners ask to have reinstated, provided that "the qualified voters of any township may, by a vote at the annual township meeting, raise by tax a sum not exceeding fifty cents for every scholar in the township between the ages of four and eighteen years, for the support of schools" therein; and that by section eleven of "an act to amend the revised statutes of 1846," at the three hundred and fourteenth page of the session laws of 1848, it is provided that in lieu of the section repealed, "the qualified voters of any school district may by a vote at their annual district meeting, raise by tax upon the taxable property of the district, a sum not exceeding one dollar for every scholar between the ages of four and eighteen years."

The amendment provides that twice the amount of tax may be raised that was authorized by the section repealed. In view of the liberal provisions of the section substituted, the committee deem it unadvisable to re-enact the section repealed. The committee therefore beg leave to report back the petition without recommending any action upon it, and ask to be discharged from its further consideration.

Mr. Ferguson, from the committee on the judiciary, reported the following entitled bills, which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order, viz:

A bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes;

A bill to provide for the support of the poor in the county of Calhoun, and for other purposes; and

A bill to amend chapter thirty-eight of the revised statutes of 1846.

Mr. Campbell, from the committee on internal improvement, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on internal improvement, to whom was referred the petition of the board of supervisors of Kent county, praying an appro-

priation of the internal improvement lands of the state to aid in the construction of a bridge across Grand river, at the mouth of Flat river, in the town of Lowell, respectfully report the same back to the House without action and ask to be discharged from the further consideration of the same.

Mr. Davis, from the committee on roads and bridges, reported a bill to repeal act number one hundred and thirty-seven of the session laws of the year 1848, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

The following communications were announced:

EXECUTIVE OFFICE, }  
Lansing, January 23, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

A joint resolution directing the Secretary of State to furnish certain statutes.

EPAPHRO. RANSOM.

OFFICE OF THE SECRETARY OF STATE, }  
Lansing, January 23, 1849. }

TO HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

I have the honor to transmit herewith a copy of the annual report of the Inspectors of the State Prison at Jackson, for the year ending November 30, 1848, printed for the use of the legislature.

Respectfully,

GEO. W. PECK,

*Secretary of State.*

On motion of Mr. G. B. Turner,

The annual report of the inspectors of state prison was referred to the committee on state prison.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 23, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to extend the time for the collection of taxes in the township of Niles, county of Berrien:

A bill to provide for the collection of taxes in the township of Norton, in the county of Ottawa, for the year 1848; and

A bill to extend the time for the collection of taxes in the city of Monroe.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to revive the poor laws repealed by the revised statutes, in the county of Kent;

A bill to amend an act entitled "an act to revive the poor laws repealed by the revised statutes, in certain counties," approved March 17, 1847.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to extend the time for the collection of taxes in the township of Niles, county of Berrien,

The bill to provide for the collection of taxes in the township of Norton, county of Ottawa, for the year 1848; and

The bill to extend the time for the collection of taxes in the city of Monroe,

Were ordered to be enrolled.

The Senate bill to revive the poor laws repealed by the revised statutes, in the county of Kent, and

The Senate bill to amend an act entitled an act to revive the poor laws repealed by the revised statutes, in certain counties, approved March 17, 1847,

Were severally read twice and referred to the committee on the judiciary.

On motion of Mr. Turrill,

The bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer, in the county of Lapeer, was taken from the table and recommitted to the committee of the whole and placed on the general order.

The House having arrived at the order of unfinished business, the following bills and joint resolutions were taken up and severally ordered to be engrossed and read the third time, viz:

A bill to amend chapter fifty-eight of the revised statutes of 1846;

A bill to provide for the punishment of certain offences;

A bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate; and

A joint resolution in relation to the transportation of the United States mail through Canada.

The bill to authorize Eric Prince and William H. Chillson to build a dam across the Thornapple river, in the county of Kent, was ordered to be read the third time.

The bill to extend the time for the collection of taxes in the county of Clinton, being before the House,

On motion of Mr. Andrews,

Its further consideration was indefinitely postponed.

The bill to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors, was taken up, when

Mr. Chamberlain moved that it be referred to the committee on the judiciary, with instructions to inquire into the expediency of amending the same in the following manner, viz:

Amend section four by striking out the words "with intent to defraud his creditor or creditors," in the second and third lines of clause one of said section.

And amend clause two of said section by striking out the word "fraudulent," in the second line, and by inserting after the word "debt," in the third line, the following words: "or other property which is not exempt by law from levy and sale on execution," and by striking out in the fourth line of said clause the word "unjustly."

Which motion was lost, and

The bill was ordered to be engrossed and read the third time.

The bill to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, was,

On motion of Mr. Pennoyer,

Amended by striking out of the second line of section three, the figures "1845," and inserting "1848."

The bill was then ordered to be read the third time.

Mr. Pennoyer moved a suspension of the rule so that the bill might now receive its third reading, which motion prevailed,

And the bill was read the third time and passed.

The amendment reported by the committee of the whole to the bill to provide for the removal of the state land office to the seat of government, was concurred in.

Mr. Kilborn moved to amend the second line of section one by striking out the words "fourteenth day of May," and inserting "fifteenth day of February," pending which,

On motion of Mr. Ferguson,

The bill was laid on the table.

The amendments reported by the committee of the whole to the bill to provide for the better education of primary school teachers, were concurred in, when

Mr. Hawley moved that its further consideration be indefinitely postponed; pending which,

On motion of Mr. Tilden,

It was laid on the table.

The amendments reported by the committee of the whole to the joint resolution relative to salt spring lands in the town of Saline, were severally concurred in, and

The joint resolution was ordered to be engrossed and read the third time.

The joint resolution appointing the Michigan State Journal the state paper, and for other purposes, was taken up, when

Mr. Holmes moved that it be laid on the table, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Coman,  
David,  
Davis,  
Dayton,

Mr. Deming,  
Hawley,  
Hobart,  
Holmes,

Mr. McNair,  
McNeil,  
Tuttle,

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## NAYS.

Mr. Andrews,  
Buck,  
Burk,  
Campbell,  
Chamberlain,  
Chittenden,  
Cartis,  
H. H. Comstock,  
O. C. Comstock,  
Earl,  
Ferguson,  
Fox,

Mr. Giddings,  
A. Gillet,  
Haight,  
Hatch,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Moffatt,  
Moran,  
Mulhollen,  
Parkhurst,

Mr. Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stoddard,  
Tilden,  
G. B. Turner,  
Turrill,  
Waite,  
Wilkinson,  
Speaker,

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Mr. Buck moved that the joint resolution be amended by striking out the words "Michigan State Journal" and inserting "Detroit Advertiser;"

Pending which,

Mr. Chittenden moved an adjournment, but the House refused to adjourn.

A division of the question was called for, and it was first taken on striking out and decided in the negative, by yeas and nays, as follows:

## YEAS.

Mr. Buck,	Mr. Hawley,	Mr. Salyer,	
Earl,	Hobart,	Tuttle,	
Giddings,	McNeil,	Waite,	
Haight,	Moran,	Wilkinson,	
Hammond,	Mulhollen,		14

## NAYS.

Mr. Andrews,	Mr. Dayton,	Mr. Moffatt,	
Burk,	Deming,	Parkhurst,	
Cady,	Fox,	Pennoyer,	
Campbell,	A. Gillet,	Smith,	
Chamberlain,	Hatch,	St. Clair,	
Chittenden,	Holmes,	Stoddard,	
Coman,	Ingersoll,	Tilden,	
H. H. Comstock,	Kilborn,	G. B. Turner,	
O. C. Comstock,	Lovell,	Turrill,	
Curtis,	Matthews,	Wright,	
David,	McNair,	Speaker,	
Davis,			34

Mr. Hatch moved an amendment, striking out the words "Michigan State Journal, published in the town of Lansing," and inserting "Jackson Patriot, published in the village of Jackson," which amendment was not agreed to."

Mr. Chittenden moved that the House adjourn, which motion was lost.

Mr. Pennoyer moved the previous question, which was demanded, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Pennoyer,	
Buck,	A. Gillet,	Salyer,	
Burk,	Haight,	Smith,	
Chamberlain,	Hammond,	St. Clair,	
Coman,	Hatch,	Tilden,	
H. H. Comstock,	Hobart,	G. B. Turner,	
Davis,	Holmes,	Turrill,	



Dayton,  
Deming,  
Earl,  
Ferguson,  
Fox,

Lovell,  
Matthews,  
Moffatt,  
Mulhollen,  
Parkhurst,  
NAYS.

Tuttle,  
Waite,  
Wright,  
Speaker,

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Mr. Cady,  
Campbell,  
Chittenden,  
O. C. Comstock,  
Curtis,

Mr. David,  
Hawley,  
Ingersoll,  
Kilborn,  
McNair,

Mr. McNeil,  
Moran,  
Stoddard,  
Wilkinson,

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The main question was ordered to be now put, and the main question being on ordering the joint resolution to be engrossed and read the third time, was put, and decided in the affirmative, by the following vote:

## YEAS.

Mr. Andrews,  
Buck,  
Burk,  
Campbell,  
Chamberlain,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
Dayton,  
Deming,  
Earl,  
Ferguson,  
Fox,

Mr. Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Hatch,  
Hobart,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNair,  
Moffatt,

Mr. Mulhollen,  
Parkhurst,  
Pennoyer,  
Salyer,  
Smith,  
St. Clair,  
Tilden,  
G. B. Turner,  
Turrill,  
Waite,  
Wilkinson,  
Wright,  
Speaker,

40

## NAYS.

Mr. Chittenden,  
David,  
Davis,

Mr. Hawley,  
Holmes,  
McNeil,

Mr. Moran,  
Stoddard,  
Tuttle,

9

Mr. Holmes moved an adjournment, which motion did not prevail.

On motion of Mr. Lovell,

The rules were suspended so as to enable the joint resolution to be read the third time to-day, and

It was read the third time, when

Mr. Hawley moved that it be committed to the committee on the judiciary with instructions to enquire into the expediency of substituting therefor the bill relative to the publication of laws and joint resolutions;

Pending which,

On motion of Mr. Ferguson,

The House adjourned.

*Thursday, January 25, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. Comstock.

The roll was called, and Messrs. Bacon, Bolding, Bowne, Coe, Flower, M. S. Gillett, Harger, Morton, Mosher, Stevens, and J. W. Turner were absent on leave, and Messrs. Curtis, A. Gillett, Haight and Salyer were absent without leave.

Mr. Waite asked and obtained leave of absence for Mr. A. Gillett, for one day, and for Messrs. Haight and Salyer for one week.

Mr. Cady asked and obtained leave of absence for Mr. Curtis for an indefinite time.

The journal of yesterday was read and approved.

Mr. Lovell presented the petition of John L. Morse for the attaching of certain territory to the township of Otisco, in the county of Ionia; which was referred to the committee on the organization of townships and counties.

Mr. Smith presented the petition of Sheldon Ashley and others, for a division of the township of Courtland, in the county of Kent, and the organization of a new township; referred to the committee on the organization of townships and counties.

Mr. Pennoyer presented the remonstrance of C. H. Taylor and sixty-one other citizens of the county of Kent, against the passage of any law in any wise changing the terms or plans already adopted for the construction of the canal and locks around the Rapids of Grand river at Grand Rapids; referred to the committee on internal improvement.

Mr. Chittenden presented the memorial of the stockholders of the Farmers' and Mechanics' bank of Michigan, asking an extension of their charter; referred to the committee on banks and incorporations.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of H. H. Duncklee & Co., reported the same back, and reported that no legislative action was necessary thereon, which report was accepted and the committee discharged from the further consideration of the subject.

On motion of Mr. Ingersoll,

Leave was granted to the claimants to withdraw their papers from the files of the House.

Mr. G. B. Turner, from the committee on the judiciary, reported

a bill to amend chapter one hundred and fifty-five of the revised statutes, in relation to forgery and counterfeiting; which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Lovell, from the committee on the judiciary, reported a bill to authorize Norman A. Harrington, of the county of Ingham, to convey certain real estate, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee of ways and means to whom was referred the petition of H. C. Thurber and other citizens of the town of Pontiac, Oakland county, praying extension of time in collecting taxes of said township, report that they have had the same under consideration, and the majority of said committee have instructed me to report adversely to the prayer of the petitioners, and respectfully ask to be discharged from the further consideration of said petition.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the Senate bill to revive the poor laws repealed by the revised statutes, in the county of Kent; and

The Senate bill to amend an act entitled an act to revive the poor laws repealed by the revised statutes, in certain counties, approved March 17, 1847,

Reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects, and the bills were referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, made the following report which was accepted, and the committee discharged from the further consideration of the subject:

The committee on internal improvement to whom was referred the petition of C. R. Sherman and sixty-eight others, for an appropriation on a certain state road in Eaton county, report the same back to the House without action, and ask to be discharged from the further consideration of the same.

Mr. Chittenden, from the committee on banks and incorporations, to whom was referred the bill to incorporate the president, directors and

company of the Peninsula bank, and the bill to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto,

Reported the same back without amendment, which report was accepted, the committee discharged from the further consideration of the subject, and the bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. O. C. Comstock, from the committee on education, reported a bill to establish a state Normal school, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to amend chapter fifty-eight of the revised statutes of 1846;

A bill to provide for the punishment of certain offences;

A bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate;

A bill to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors;

A joint resolution in relation to the transportation of the United States mail through Canada; and

A joint resolution relative to salt spring lands in the town of Saline.

The following message was received from the Senate :

SENATE CHAMBER,  
Lansing, January 24, 1849. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return herewith a bill to amend section two, chapter seventy-eight of the revised statutes of 1846, and to respectfully inform you that the Senate have concurred therein; also,

A bill to authorize the construction of a free bridge across the St. Joseph river at or near the mouth of McCoy's creek, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked; also

Joint resolution authorizing the Auditor General to draw a certain warrant, and to respectfully inform you that the Senate have non-concurred therein.

I am further instructed to transmit the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill relative to the discharge of judgments and decrees, and for other purposes;

A bill repealing section eight, and amendatory of section one of chapter one hundred and fourteen, title twenty-four of the revised statutes;

A bill relative to the costs of proceedings in criminal cases.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to amend section two of chapter seventy-eight of the revised statutes of 1846, was ordered to be enrolled.

The Senate amendment to the bill to authorize the construction of a free bridge across the St. Joseph river at or near the mouth of McCoy's creek, was concurred in, and the bill as amended was ordered to be enrolled.

The following entitled Senate bills were severally read twice and referred to the committee on the judiciary, viz:

A bill relative to the discharge of judgments and decrees, and for other purposes;

A bill relative to the costs of proceedings in criminal cases; and

A bill repealing section eight and amendatory of section one hundred and fourteen, title twenty-four of the revised statutes.

Mr. Mulhollen, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company, which was read twice and referred to the committee on banks and incorporations.

Mr. Hatch gave notice that he would on some future day ask leave to introduce a bill to repeal an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence.

On motion of Mr. Hawley,

*Resolved*, That a committee of two be appointed by the Speaker of this House, whose duty it shall be to proceed to the township of Kalamazoo, in this state, and canvass the ballots given in that township at the last general election for the office of Representative, and

report to this House the result of such canvass as seen as practicable; full power being hereby conferred upon such committee to use all necessary means in the performance of the duty for which they are appointed.

The Speaker appointed as such committee Messrs. Andrews and Moffatt.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for laying out and establishing a certain state road in the counties of Oakland and Genesee, which was read twice and referred to the committee on roads and bridges.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce a joint resolution relative to a reduction in the price of certain public lands in the mineral region of the Upper Peninsula.

Mr. Ferguson, pursuant to previous notice, asked and obtained leave to introduce a bill to enlarge the powers of the trustees of the Wesleyan seminary at Albion, which was read twice and referred to the committee on education.

Mr. Giddings offered the following resolution:

*Resolved*, That the committee on elections, through their chairman, be authorized and required to send for Henry Acker, George Thomas Clark and A. G. Barnham, of the county of Kalamazoo, to appear before them and give evidence in the case of the contested seat claimed by Evert B. Dyckman.

This resolution was adopted by the following vote:

#### YEAS.

Mr. Allen,	Mr. Hatch,	Mr. O'Malley,
Buck,	Hobart,	Pennoyer,
Burk,	Ingersoll,	Smith,
Chamberlain,	Lovell,	St. Clair,
O. C. Comstock,	Matthews,	Tilden,
Dayton,	McNair,	G. B. Turner,
Deming,	McNeil,	Tumill,
Earl,	Moffat,	Waite,
Fox,	Moran,	Wilkinson,
Giddings,	Mulhollen,	Speaker
Hartsuff,		

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#### NAYS.

Mr. Andrews,	Mr. Davis,	Mr. Parkhurst,
Cady,	Ferguson,	Stoddard,
Campbell,	Holmes,	Tuttle,
Conan,	Hawley,	Wright,
David,	Kilborn,	

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The following entitled bills and joint resolutions were severally read the third time and passed, viz:

The bill to authorize Erie Prince and William H. Chillson to build a dam across the Thornapple river in the county of Kent;

The bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate;

The bill to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors;

The bill to provide for the punishment of certain offences;

The bill to amend chapter fifty-eight of the revised statutes of 1846;

The joint resolution relative to salt spring lands in the town of Saline; and

The joint resolution in relation to the transportation of the United States mail through Canada.

The following message, received from the Senate, was taken up by unanimous consent:

SENATE CHAMBER, }  
Lansing, January 25, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a bill to extend the time for the collection of taxes for the year 1848, under an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and the acts amendatory thereto, and respectfully inform you that the Senate have concurred therein.

I am further instructed to transmit herewith the following bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to extend the time for the collection of taxes in the city of Detroit for the year 1848;

A bill to extend the time for the collection of taxes in the town of Spring Arbor, county of Jackson.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to extend the time for the collection of taxes for the year 1848, under an act to provide for the draining of swamps, marshes.

and other low lands, approved March 17, 1847, and the acts amendatory thereto, was ordered to be enrolled.

The Senate bill to extend the time for the collection of taxes in the town of Spring Arbor, in the county of Jackson, and

The Senate bill to extend the time for the collection of taxes in the city of Detroit for the year 1848,

Were severally read twice, when

Mr. Fox moved a suspension of the twenty-first and thirty-seventh rules, which motion prevailed, and

The bills were ordered to be read the third time, were so read, and were passed.

The House having arrived at the order of unfinished business, took up the joint resolution appointing the Michigan State Journal the state paper, and for other purposes; and

The question being on the motion yesterday made by Mr. Hawley, to commit the bill to the committee on the judiciary, with instructions to enquire into the expediency of substituting therefor the bill relative to the publication of laws and joint resolutions, it was decided in the negative.

The question then recurring on the passage of the joint resolution, it was passed, by the following vote:

#### YEAS.

Mr. Andrews,	Mr. Fox,	Mr. Mulhollen,
Buck,	Giddings,	Pennoyer,
Burk,	Hatch,	Smith,
Cady,	Hobart,	St. Clair,
Campbell,	Ingersoll,	Tilden,
Chamberlain,	Kilborn,	G. B. Turner,
O. C. Comstock,	Lockwood,	Turrill,
Dayton,	Lovell,	Waite,
Deming,	Matthews,	Wright,
Earl,	Moffatt,	Speaker,
Ferguson,	McNair,	

32

#### NAYS.

Mr. Allen,	Mr. Hawley,	Mr. O'Malley,
Chittenden,	Holmes,	Stoddard,
Coman,	McNeil,	Tuttle,
David,	Moran,	Wilkinson,
Davis,		

13

Mr. O'Malley moved an adjournment, but the House refused to adjourn.



The House then resolved itself into a committee of the whole on the general order, Mr. Hawley in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back to the House, with sundry amendments, in which the concurrence of the House was asked,

The bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer; and

Also reported back without amendment,

The bill to provide for the payment for wood, lights and other incidental expenses of the legislature, and

The joint resolution to encourage immigration.

On motion of Mr. Lockwood,

The House adjourned.

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*Friday, January 26, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called and Messrs. Andrews, Bacon, Belding, Bowne, Coe, Curtis, Flower, M. S. Gillett, Haight, Harger, Moffatt, Morton, Mosher, Salyer, Stevens and J. W. Turner were absent with leave, and Messrs. Burk, Campbell, H. H. Comstock, Earl, Ferguson, Hammond, Moran, and Tilden were absent without leave.

Mr. Giddings asked and obtained leave of absence for Messrs. Earl and Tilden for an indefinite period.

Mr. Hartsuff for Mr. Campbell till Monday, and for Mr. H. H. Comstock till Tuesday next.

Mr. Fox for Moran, for one day.

Mr. Pennoyer for Mr. Ferguson, for an indefinite period.

Mr. Chamberlain for Mr. Burk, as above.

The journal of yesterday was read and approved.

Mr. G. B. Turner presented the petition of James M. Tefft, praying for the passage of a special act authorizing any common law court in the county in which he resides, to grant him a divorce from Sally Tefft on account of insanity on the part of said Sally Tefft, accruing since their marriage; referred to the committee on the judiciary.

Mr. Smith presented the petition of Andrew Loomis of Kent and

Ottawa counties, for an amendment to the several acts authorizing the construction of a canal and locks around the rapids of Grand river at Grand Rapids; and

The petition of James Scribner and three other citizens of Kent county, for an investigation by the legislature of the acts of the Grand Rapids canal commissioners, and for the appointment of a special committee, with power to send for persons and papers; which petitions were referred to the committee on internal improvement.

Mr. Chittenden presented the petition of A. Kaminsky and others, for the establishment of an emigration agency; referred to the committee on state affairs.

Mr. Chittenden, from the committee on banks and incorporations, reported a bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, which was read twice, and

On motion of Mr. O'Malley,

Laid on the table and ordered to be printed.

Mr. Coman, from the committee on the organization of townships and counties, to whom was referred the petition of Robert Duff and others, for a division of the township of Ash and Frenchtown, in Monroe county, reported the same back, and reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Davis, from the committee on roads and bridges, reported a bill to provide for the laying out of private roads, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ingersoll, from the committee on printing, reported joint resolutions directing the publication of a statement of lands to be sold in the county of Ionia, in 1849, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to extend the time for the collection of taxes in the city of Monroe;

A bill to extend the time for the collection of taxes in the township of Niles, in the county of Berrien;

A bill to authorize the construction of a free bridge across St. Joseph river at or near the mouth of McCoy's creek;

A bill to amend section two of chapter seventy-eight of the revised statutes of 1846; and

A bill to extend the time for the collection of taxes for the year eighteen hundred and forty-eight, under an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and the acts amendatory thereto.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 25, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a joint resolution for the relief of John Lee, and to respectfully inform you that the Senate have concurred therein.

I am further instructed to transmit herewith the following bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to amend section one hundred and seven, chapter fifty-eight of the revised statutes; and

A bill to authorize the commissioner of the state land office to sell certain university lands.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The joint resolution for the relief of John Lee, was ordered to be enrolled:

The Senate bill to amend section one hundred and seven, chapter fifty-eight of the revised statutes, was read twice and referred to the committee on education.

The Senate bill to authorize the commissioner of the state land office to sell certain university lands, was read twice and referred to the committee on public lands.

On motion of Mr. O. C. Comstock,

The bill to provide for the better education of primary school teachers was taken from the table, and

The question being on the motion of Mr. Hawley, to indefinitely postpone the further consideration of the bill, it was decided in the negative, by the following vote:

## YEAS.

Mr. Chittenden, David, Hawley,	Mr. Lovell, McNeil, Mulhollen,	Mr. G. B. Turner, Tuttle, Waite,	9
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## NAYS.

Mr. Allen, Buck, Chamberlain, Coman, * O. C. Comstock, Davis, Dayton, Deming, Fox, Giddings,	Mr. A. Gillet, Hartsuff, Hatch, Hobart, Holmes, Ingersoll, Kilborn, Lockwood, Matthews, McNair,	Mr. O'Malley, Parkhurst, Pennoyer, Smith, St. Clair, Stoddard, Turrill, Wilkinson, Wright, Speaker,	30
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On motion of Mr. O. C. Comstock,

The second line of section one was amended by striking out the words "or more" before "persons," and by inserting "one or," after the word "himself."

On motion of Mr. Hawley,

The third line of section five was amended by inserting the words "from the university fund," after "treasurer."

On motion of Mr. O. C. Comstock,

The first line of section five was amended by inserting the word "only" after "embracing."

Mr. Giddings moved to amend the fourth line of section three by inserting after the word "counties," the following: "and that the clerks of each county be required to give notice to any member of the state legislature residing in his county, of the time and place of holding said institutes, and invite them to attend at least one month in each year," pending which,

On motion of Mr. Ingersoll,

The bill was laid on the table.

Mr. St. Clair sent up the following concurrent resolution:

*Resolved*, (the Senate concurring,) That this House adjourn to meet on Monday, February fifth.

On motion of Mr. St. Clair,

The action of the fifteenth rule was suspended, and the concurrent resolution was taken up for consideration.

The question being on the adoption of the resolution, it was lost, by yeas and nays, as follows:

## YEAS.

Mr. Chittenden,	Dayton,	O'Malley,	3
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## NAYS.

Mr. Allen,	Hartsuff,	Mulhollen,	
Buck,	Hatch,	Parkhurst,	
Cady,	Hawley,	Pennoyer,	
Chamberlain,	Hobert,	Smith,	
Coman,	Holmes,	Stoddard,	
O. C. Comstock,	Ingersoll,	G. B. Turner,	
David,	Kilborn,	Turrill,	
Davis,	Lockwood,	Tuttle,	
Deming,	Lovell,	Waite,	
Fox,	Matthews,	Wilkinson,	
Giddings,	McNair,	Wright,	
A. Gillet,	McNeil,	Speaker,	36

Mr. Giddings asked and obtained leave to be absent for one week.

Mr. Dayton offered the following resolution:

*Resolved*, That when this House adjourns it will adjourn to meet at ten o'clock A. M. on Tuesday next.

Mr. Deming moved that the resolution be amended by striking out "Tuesday" and inserting "Monday," which motion was lost.

On motion of Mr. McNeil,

The resolution was laid on the table.

Mr. Ingersoll moved that the bill to provide for the removal of the state land office to the seat of government, be taken from the table. pending which,

Mr. Chamberlain moved an adjournment, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Giddings,	Mr. O'Malley,	
Chamberlain,	Lockwood,	Stoddard,	
Chittenden,	Matthews,	G. B. Turner,	
Coman,			10

## NAYS.

Mr. Buck,	Mr. Hatch,	Mr. Parkhurst,	
Cady,	Hawley,	Pennoyer,	
O. C. Comstock,	Hobart,	Smith,	
David,	Holmes,	St. Clair,	
Davis,	Ingersoll,	Turrill,	
Dayton,	Kilborn,	Tuttle,	
Deming,	Lovell,	Waite,	
Fox,	McNair,	Wilkinson,	
A. Gillet,	McNeil,	Wright,	
Hartsuff,	Mulhollen,	Speaker,	30

The question then recurring on the motion to take the bill from the table, it was decided in the negative.

Mr. Chittenden offered the following resolution:

*Resolved*, That this House do now adjourn to meet on Tuesday next, at ten o'clock A. M.

Mr. Lockwood moved that the resolution be amended by striking out "ten o'clock A. M.," and inserting "two o'clock P. M.," which amendment was not agreed to.

On motion of Mr. Lovell,

The resolution was amended by striking out the words "on Tuesday next, at ten o'clock A. M.," and inserting "this afternoon at two o'clock."

Mr. Chamberlain moved to lay the resolution on the table, pending which,

Mr. Buck moved that the House adjourn, which motion was decided in the negative.

The question then recurring on the motion to lay on the table, it did not prevail.

The resolution as amended, was then adopted, and accordingly,  
The House adjourned.

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AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Ingersoll,

A call of the House was had, when it was found that Messrs. Cady, Chittenden, Dayton, Lockwood, Smith, Turrill and Tuttle were absent without leave.

On motion of Mr. Hawley,

The Sergeant-at-Arms was sent for the absentees.

Several of the absentees having returned,

On motion of Mr. Deming,

All further proceedings under the call of the House were dispensed with.

Mr. Hawley asked and obtained leave of absence for Mr. Tuttle for one week.

Mr. O. C. Comstock for Mr. Lockwood, for an indefinite time.

Mr. G. B. Turner for Mr. Chittenden, till Monday.

On motion of Mr. St. Clair,

*Resolved*, That from and after Monday next, this House will hold two sessions a day, commencing at ten o'clock A. M., and at two o'clock P. M.

The House having arrived at the order of unfinished business, took up the bill to provide for the payment for wood, lights, and other incidental expenses of the legislature and state offices, and ordered the same to be engrossed and read the third time.

The joint resolution to encourage immigration, was taken up, when

Mr. Fox moved to lay the same on the table, which motion was lost.

Mr. Fox moved to amend the joint resolution by inserting in the fourth line after the word state, the following: "and to sell stocks of the various mining companies incorporated by the authority thereof, especially the stock of the Jackson mining company on Carp river of Lake Superior," which amendment was rejected.

Mr. Hawley moved to lay the joint resolution on the table which motion was lost.

Mr. Deming moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question being on ordering the joint resolution to be read the third time, was then put, and decided in the affirmative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Hartsuff,	Mr. Parkhurst,	
Chamberlain,	Holmes,	Pennoyer,	
Coman,	Ingersoll,	Stoddard,	
O. C. Comstock,	Kilborn,	G. B. Turner,	
David,	McNeil,	Wright,	
Davis,	O'Malley,	Speaker,	12

## NAYS.

Mr. Buck,	Mr. Hawley,	Mr. Mulhollen,	
Deming,	Hobart,	Smith,	
Fox,	Lovell,	St. Clair,	
A. Gillet,	Matthews,	Waite,	
Hatch,	McNair,	Wilkinson,	15

Mr. Fox asked and obtained leave of absence for Mr. Turrill for one week.

On motion of Mr. Wright,

The House adjourned till Monday next.

*Monday, January 29, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Andrews, Bacon, Burk, Campbell, Coe, Curtis, Earl, Ferguson, Flower, Giddings, M. S. Gillett, Haight, Lockwood, Moffatt, Salyer, Stevens, Tilden, J. W. Turner, Turrill and Tuttle were absent on leave, and Messrs. Allen, Chamberlain, Chittenden, Davis, Dayton, Mulhollen, Parkhurst and Wright were absent without leave.

Mr. Belding asked and obtained leave of absence for Mr. Parkhurst for two days, and for Mr. Wright for one week.

Mr. Morton for Mr. Mulhollen, for one week.

Mr. McNeil for Mr. Dayton, for one day.

Mr. G. B. Turner for Mr. Chamberlain, for an indefinite time.

The journal of Friday was read and approved.

Mr. Cady presented the petition of Robert F. Easton and thirty-four others, for the extension of the charter of the Farmers' and Mechanics' bank of Michigan; which was laid on the table.

Mr. Mosher presented the petition of D. C. Smith and one hundred and eleven other tax-payers of Lenawee and Hillsdale counties, for an amendment to the revised statutes in relation to highway districts on township lines; referred to the committee on roads and bridges.

Mr. Lovell presented the remonstrance of G. C. Morton, and eleven others, of Charles W. Ingalls and sixty-three others, of A. F. Carr, and fifty-eight others, of John Robbins and seventeen others, and of Samuel Dexter and fifteen others, against the passage of any law changing the terms and plans already adopted for the construction of the canal and locks around the rapids of Grand river; referred to the committee on internal improvement.

Mr. McNair presented the petition of Elliott and Van Aikin, for payment for damages on a certain contract; referred to the committee on claims.

Mr. Smith presented the petition of Mr. Henry Hall and three hundred and eighty other citizens of Kent county, for the passage of an act authorizing the permanent location of the county site of said county; referred to the committee on the organization of townships and counties.

Mr. Morton presented the petition of Dan B. Miller and one hun-



dred and thirteen others, of the city of Monroe, for an amendment of the license law; referred to the committee on state affairs.

Mr. Morton also presented the petition of the mayor, recorder and aldermen of the city of Monroe, for authority to re-assess certain taxes in said city; referred to the committee on ways and means.

Mr. Harger presented the remonstrance of W. R. Marsh and thirty-nine others, of Oakland county, against restoring the law providing for capital punishment; referred to the committee on the judiciary.

Mr. Hawley presented the petition of certain German citizens of this state, asking the publication of the general laws of this state in the German language; referred to the committee on state affairs.

Mr. Hawley also presented the claim and vouchers of James McGrath, for clothing furnished the first regiment of Michigan volunteers, under a contract with the Governor; and

The claim and vouchers of N. Greusel against the state; which claims were referred to the committee on claims.

Mr. Buck presented the petition of A. Hawley and others, of the township of Sherman, asking that the southern tier of sections of said township may be attached to the township of Sturgis, in the county of St. Joseph; referred to the committee on the organization of townships and counties.

Mr. O. C. Comstock, from the committee on education, to whom was referred the Senate bill to amend section one hundred and seven of chapter fifty-eight of the revised statutes, reported the same back without amendment, and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject: and

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Kilborn, from the committee on public lands, to whom was referred the petition of Robert Hilton, for the passage of an act authorizing the commissioner of the state land office to receive certain internal improvement warrants in payment for certain salt spring lands in the county of Kent, reported the same back, and reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Kilborn, from the same committee, to whom was referred the

Senate bill to authorize the commissioner of the state land office to sell certain primary school lands, and

The Senate bill to authorize the commissioner of the state land office to sell certain university lands,

Reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bills were referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, January 26, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to extend the time for the collection of taxes in the township of Niles, in the county of Berrien;

An act to extend the time for the collection of taxes for the year eighteen hundred and forty-eight, in the city of Monroe;

An act to authorize the construction of a free bridge across the St. Joseph river, at or near the mouth of McCoy's creek;

An act to amend section two of chapter seventy-eight of the revised statutes of one thousand eight hundred and forty-six; and

An act to extend the time for the collection of taxes for the year eighteen hundred and forty-eight, under an act to provide for the draining of swamps, marshes and other low lands, approved March seventeenth, eighteen hundred and forty-seven, and the acts amendatory thereto.

EPAPHRO. RANSOM.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Upper Peninsula mining company, which was read twice, and referred to the committee on banks and incorporations.

Mr. Hartsuff, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for laying out a state road from Mason to Dexter, which was read twice and referred to the committee on roads and bridges.

On motion of Mr. Morton,

The action of the twentieth rule was suspended, when he asked

and obtained leave to introduce a bill to extend the time for the collection of taxes for the year 1848, in the township of Monroe, county of Monroe, which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. Deming,

The action of the twenty-first rule was suspended, and the engrossment of the bill having been dispensed with,

It was read the third time and passed.

On motion of Mr. Hawley,

*Resolved*, That the committee on supplies and expenditures be instructed to ascertain the amount of postage charged to the state by the deputy postmaster of Lansing, for letters, papers and documents sent and received by the members of this House during the present session, and that they report the same as soon as practicable.

Mr. Hawley offered the following resolution:

*Resolved*, That from and after this day, but two hundred copies of the daily journals of this House be ordered printed for the use of the members of the House.

Mr. Ingersoll moved that the resolution be laid upon the table, which motion was decided in the negative, by the following vote:

#### YEAS.

Mr. Bowne,	Mr. A. Gillet,	Mr. Ingersoll,
Buck,	Harger,	Morton,
H. H. Comstock,	Hartsuff,	Pennoyer,
O. C. Comstock,	Hatch,	St. Clair,
Fox,		

13.

#### NAYS.

Mr. Belding,	Mr. Holmes,	Mr. O'Malley,
Cady,	Kilborn,	Smith,
Coman,	Lovell,	Stoddard,
David,	Matthews,	G. B. Turner,
Deming,	McNair,	Waite,
Hammond,	McNeil,	Wilkinson,
Hawley,	Moran,	Speaker,
Hobart,	Mosher,	

23.

The resolution was then adopted.

Mr. Cady offered the following resolution, which under the rule, was laid on the table:

*Resolved*, (the Senate concurring) That this legislature will on Tuesday, the twenty-second day of February next, adjourn *sine-die*.

Mr. Pennoyer gave notice that he would on some future day ask

leave to introduce a bill to amend chapter twenty of the revised statutes, of 1846, and for other purposes.

On motion of Mr. O. C. Comstock,

The bill to provide for the better education of primary school teachers, was taken from the table, and

The question being on the following amendment, offered on Friday by Mr. Giddings, it was rejected, viz:

Insert after the word "counties" in the fourth line of section three, the following: "and that the clerks of each county be required to give notice to any member of the state legislature residing in his county, of the time and place of holding said institutes, and invite them to attend at least one month in each year."

Mr. Ingersoll moved a reconsideration of the vote by which the third line of section five was amended by inserting the words "from the university fund," after "treasurer," which motion prevailed by the following vote:

## YEAS.

Mr. Belding,	Mr. Harger,	Mr. Morton,	
Buck,	Hartsuff,	O'Malley,	
Cady,	Ingersoll,	Pennoyer,	
Coman,	Kilborn,	St. Clair,	
H. H. Comstock,	Lovell,	Stoddard,	
O. C. Comstock,	McNair,	Waite,	18

## NAYS.

Mr. Bowne,	Mr. Hatch,	Mr. Mosher,	
David,	Hawley,	Smith,	
Deming,	Hobart,	G. B. Turner,	
Fox,	Holmes,	Wilkinson,	
A. Gillet,	Matthews,	Speaker,	
Hammond,	McNeil,		17

The question then recurring on the adoption of the amendment, it was decided in the negative.

On motion of Mr. Hawley,

The third line of section five was amended by striking out the words "state treasurer," and inserting "persons who may attend."

On motion of Mr. Hartsuff,

The fourth line of section three was amended by inserting after the word "counties" the following: "and the county clerk of each county shall cause a copy of said circular to be sent to each township clerk in his county as soon as practicable."

The question then being on ordering the bill to be engrossed and

read the third time, it was decided in the negative, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. Morton,
Belding,	Hartsuff,	O'Malley,
Buck,	Ingersoll,	Pennoyer,
Coman,	McNair,	Stoddard,
H. H. Comstock,		

13

## NAYS.

Mr. Bowne,	Mr. Hatch,	Mr. Mosher,
Cady,	Hobart,	Smith,
David,	Holmes,	St. Clair,
Deming,	Lovell,	G. B. Turner,
Fox,	Matthews,	Waite,
A. Gillet,	McNeil,	Wilkinson,
Harger,	Moran,	Speaker,
Hawley,		

22

Mr. Hartsuff moved an adjournment, but the House refused to adjourn.

Mr. Fox, by unanimous consent, presented the petition of J. G. Bean, for relief, which was referred to the committee on the state prison.

On motion of Mr. David,  
The House adjourned.

*Tuesday, January 30, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Andrews, Bacon, Burk, Chamberlain, Curtis, Earl, Ferguson, Flower, Giddings, M. S. Gillett, Haight, Lockwood, Mulhollen, Parkhurst, Salyer, Tilden, J. W. Turner, Turrill, Tuttle and Wright were absent on leave, and Messrs. Belding, Cady, Chittenden, Dayton and Davis were absent without leave.

Mr. O'Malley asked and obtained leave of absence for Mr. Belding for the day.

Mr. Deming for Mr. Cady, for an indefinite period.

Mr. McNeil for Mr. Dayton, for the day.

Mr. G. B. Turner for Mr. Davis, for an indefinite period.

The journal of yesterday was read and approved.

Mr. Lovell presented the remonstrance of Seth C. Barnes and nineteen others, of James M. Kidd and thirty-one others, of I. B. Richardson and twenty-seven others, of Daniel Hoyt and eleven others, of Benjamin Barber and nine others, and of David Irish and seventy-nine others, against the passage of any law changing the terms and plans already adopted for the construction of the canal and locks around the rapids of Grand river; referred to the committee on internal improvement.

Mr. Bowne presented the petition of William Lewis and one hundred and twenty others, of the township of Gates, in Barry county, for a change of the name of said township to Yankee Springs; referred to the committee on the organization of townships and counties.

Mr. David, from the committee on engrossment and enrollment, reported that the bill to provide for the payment for wood, lights, and other incidental expenses of the legislature and state offices, was correctly engrossed.

Mr. Deming, from the committee on roads and bridges, to whom was referred the bill to provide for laying out a state road from Mason to Dexter, reported the same back without amendment and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, reported a joint resolution authorizing the board of state auditors to settle certain claims, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Morton, from the committee on state affairs, reported a bill to amend an act entitled an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, January 30, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a bill to extend the time for the collection of taxes for the year 1848, in the township of Mon-

roe, county of Monroe, and respectfully inform you that the Senate have concurred therein.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to extend the time for the collection of taxes for the year 1848, in the township of Monroe, county of Monroe, was ordered to be enrolled.

On motion of Mr. G. B. Turner,

*Resolved*, That the Governor be and he is hereby requested to transmit to this House a report of the disbursements made under an act to provide for defraying the expenses of enlisting, transporting and subsisting the volunteer regiment called from this state to serve in the existing war with Mexico, approved January 15, 1848.

On motion of Mr. Hartsuff,

*Resolved*, That the committee on supplies and expenditures be authorized and required to make all necessary repairs to the tables belonging to this House.

On motion of Mr. Deming,

The concurrent resolution fixing the day of adjournment, yesterday offered by Mr. Cady, was taken from the table.

Mr. Ingersoll moved that the same be amended by striking out the word "February" and inserting "March," and a division of the question being called for, it was first taken on striking out, and decided in the negative, by the following vote:

YEAS.

Mr. Allen,  
Bowne,  
Buck,  
Coe,

Mr. Coman,  
David,  
A. Gillet,  
Hobart,

Mr. Ingersoll,  
Lovell,  
O'Malley,

11

NAYS.

Mr. Campbell,  
H. H. Comstock,  
Deming,  
Fox,  
Harger,  
Hartsuff,  
Hatch,  
Hawley,

Mr. Holmes,  
Kilborn,  
Matthews,  
McNair,  
McNeil,  
Mosher,  
Pennoyer,  
Smith,

Mr. St. Clair,  
Stevens,  
Stoddard,  
G. B. Turner,  
Waite,  
Wilkinson,  
Speaker,

23

On motion of Mr. Ingersoll,

The resolution was laid on the table.

On motion of Mr. G. B. Turner,

The vote by which the following resolution was yesterday adopted, was reconsidered, viz:

*Resolved*, That from and after this day, but two hundred copies of the daily journals of this House be ordered printed for the use of the members of the House.

On motion of Mr. Ingersoll,

The resolution was laid on the table.

Mr. Hatch, pursuant to previous notice, asked and obtained leave to introduce a bill to repeal an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, which was read twice and referred to the committee on agriculture and manufactures.

The bill to provide for the payment for wood, lights, and incidental expenses of the legislature and state offices, was read the third time and passed.

The joint resolution to encourage immigration was read the third time and passed, by the following vote:

#### YEAS.

Mr. Allen,  
Bowne,  
Campbell,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,

Mr. David,  
Hartsuff,  
Holmes,  
Ingersoll,  
Kilborn,  
McNeil,  
Moran,

Mr. Morton,  
O'Malley,  
Pennoyer,  
Smith,  
Stoddard,  
G. B. Turner,  
Speaker, 21

#### NAYS.

Mr. Buck,  
Deming,  
Fox,  
A. Gillet,  
Hammond,  
Harger,

Mr. Hatch,  
Hawley,  
Hobart,  
Lovell,  
Matthews,  
McNair,

Mr. Mosher,  
St. Clair,  
Stevens,  
Waite,  
Wilkinson,

17

The House having arrived at the order of unfinished business, took up the bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer, in the county of Lapeer, and the amendment reported by the committee of the whole thereto, was concurred in.

The bill was then ordered to be read the third time.

On motion of Mr. Ingersoll,

A committee of two was ordered to be appointed to wait on Gen.



Cass, and invite him to take a seat within the bar of the House, during his stay at Lansing.

The Speaker appointed Messrs. Ingersoll and Coe, as such committee.

On motion of Mr. H. H. Comstock,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker, and

Resolved itself into committee of the whole on the general order, Mr. Pennoyer in the chair.

And after spending some time thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill to repeal act number one hundred and thirty-seven of the session laws of the year 1848;

A bill to amend chapter thirty-eight of the revised statutes of 1846; and

A bill to amend chapter one hundred and fifty-five of the revised statutes, in relation to forgery and counterfeiting.

And also reported back the following entitled bills with sundry amendments, in which the concurrence of the House was asked, viz:

A bill to authorize Norman A. Harrington, of the county of Ingham, to convey certain real estate;

A bill to amend an act entitled an act to revive the poor laws repealed by the revised statutes, in certain counties, approved March 17, 1847;

A bill to revive the poor laws repealed by the revised statutes, in the county of Kent; and

A bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes.

The bill to repeal act number one hundred and thirty-seven of the session laws of the year 1848, being under consideration, the same was,

On motion of Mr. Coe,

Amended by adding thereto the following to stand as section two:

"Sec. 2. Nothing contained in the preceding section shall be construed to impair any act or proceeding had or done under the provisions of the act hereby repealed, and whenever any act or proceeding has been commenced under said act, the same may be continued and completed in the same manner as if this act had not been passed."

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Ingersoll,  
The House adjourned.

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*Wednesday, January 31, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called and Messrs. Andrews, Bacon, Burk, Cady, Chamberlain, Chittenden, Curtis, Davis, Earl, Ferguson, Flower, Giddings, M. S. Gillett, Haight, Lockwood, Moffatt, Mulhollen, Sawyer, Tilden, J. W. Turner, Turril, Tuttle and Wright were absent on leave, and Mr. Stoddard was absent without leave.

Mr. David asked and obtained leave of absence for Mr. Stoddard for an indefinite period.

The journal of yesterday was read and approved.

Mr. Hartsuff presented the petition of D. D. T. Chandler and others, for the re-charter of the Farmers' and Mechanics' bank of Michigan; laid on the table.

Mr. Hatch presented the petition of S. Smith Bagley and sixty-seven others, of the township of Pulaski, Jackson county, for a law authorizing the commissioners of highways of said township to alter the route of a certain road; referred to the committee on roads and bridges.

Mr. Parkhurst presented the petition of J. B. Watson and twenty-two others, of the townships of White Lake and Commerce, in Oakland county, for a dissolution of a certain school district; referred to the committee on education.

Mr. Dayton presented the petition of Isaac Van Tuyl and others,

of Genesee county, for an amendment of the tax laws; referred to committee on ways and means.

Mr. Kilborn presented the petition of Daniel Johnson and others, of Lansing, asking authority to drain certain lots on the school section in said township, and in regard to the payment for so draining; referred to the committee on public lands.

Mr. Bowne presented the petition of certain residents of the township of Johnstown, in Barry county, for a division of said township; referred to the committee on the organization of townships and counties.

Mr. Belding, from the committee on supplies and expenditures, who were instructed to make certain inquiries relative to the amount of postage charged to this House at the present session, submitted a report containing a statement from the postmaster at Lansing, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Fox, from the committee on state prison, reported a joint resolution relative to John G. Bean, a discharged convict, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to repeal act number one hundred and thirty seven of the session laws of the year 1848;

And also reported that the following entitled bills and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to provide for the collection of taxes in the township of Norton, county of Ottawa, for the year 1848;

A bill to extend the time for the collection of taxes for the year 1848, in the township of Monroe, county of Monroe; and

A joint resolution for the relief of John Lee.

The following communication was announced:

OFFICE OF THE SECRETARY OF STATE, }  
Lansing, January 30, 1849. }

Hon. LEANDER CHAPMAN:

*Speaker of the House of Representatives:*

I have the honor to transmit herewith a copy of the annual report

of the board of state auditors for the fiscal year 1848, prepared and printed for the use of the legislature pursuant to law.

Respectfully,

Yours, &c.,

GEO. W. PECK,

*Secretary of State, Chairman, &c.*

The annual report of the board of state auditors was referred to the committee on ways and means.

Mr. Ingersoll gave notice that on some future day he should ask leave to introduce a bill repealing section twelve of an act to amend the revised statutes of 1846, approved April 3, 1848.

On motion of Mr. Coe,

*Resolved*, That from and including this day this House will hold but one session per day, commencing at half past nine o'clock in the morning.

The bill to legalize the proceedings of the trustees of the first society of the Methodist Episcopal church of Lapeer, in the county of Lapeer, was read the third time and passed, and

The title being under consideration, the same was, in accordance with the report of the committee on the judiciary, amended by striking out the words "to legalize the proceedings," and inserting "for the relief."

The bill to repeal act number one hundred and thirty-seven of the session laws of the year 1848, was read the third time and passed, and

On motion of Mr. Coe,

The title was amended by striking out all after the word "repeal," and inserting "an act entitled an act to amend chapter twenty-seven of the revised statutes of 1846, relative to the erection, repairing and preservation of bridges, approved March 29, 1848."

The House having arrived at the order of unfinished business, took up the bill to amend chapter one hundred and fifty-five of the revised statutes in relation to forgery and counterfeiting, and it was,

On motion of Mr. G. B. Turner,

Laid on the table.

The bill to amend chapter thirty-eight of the revised statutes of 1846, was taken up, when

Mr. Pennoyer moved to amend the fourth line of the bill by stri-

king out the words "two-thirds" and inserting "a majority of all the supervisors elected," which motion was lost, by the following vote:

## YEAS.

Mr. Hammond, Lovell,	Mr. McNair, Pennoyer,	Mr. Smith,	5
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## NAYS.

Mr. Bowne, Campbell, Coman, Coe, O. C. Comstock, David, Dayton, Deming, Fox, A. Gillet,	Mr. Haight, Harger, Hartsuff, Hatch, Hobart, Hawley, Holmes, Kilborn, Matthews,	Mr. McNeil, Morton, Mosher, St. Clair, Stevens, G. B. Turner, Waite, Wilkinson, Speaker,	28
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On motion of Mr. A. Gillet,

The fourth line was amended by striking out the words "present" and inserting "the supervisors elected."

On motion of Mr. Coe,

The second line of section one was amended by inserting the words "of 1846," after statutes."

The bill was then ordered to be engrossed and read the third time.

The bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes, was taken up, and

The question being on concurring in the first amendment reported thereto by the committee of the whole, which amendment strikes out the words "the names of the persons charged with offences," and inserts "the names of the persons convicted of offences,"

A division of the question was called for, and it was first taken on concurring in that portion of the amendment which strikes out the words, and decided in the affirmative.

The question then recurring on that portion of the amendment which inserts, it was non-concurred in.

The remaining amendments were then severally non-concurred in.

On motion of Mr. Coe,

The fourth line of section one was amended by inserting the words "the number of persons charged with offences," after "county."

Mr. Coe moved to amend section two by adding thereto the words

"and transmit the same to the office of the Attorney General," which motion prevailed.

On motion of Mr. Fex,

The bill was further amended by striking all out after the enacting clause and inserting the following:

"That the Attorney General be, and he is hereby required to furnish to the several prosecuting attorneys in the state of Michigan, all necessary blanks to enable them to make uniform reports, in conformity to the provisions of the fifty-sixth section of chapter fourteen of the revised statutes of 1846."

The bill was then ordered to be engrossed and read the third time.

The bill to revive the poor laws repealed by the revised statutes, in the county of Kent, was taken up, and

On motion of Mr. Hawley,

Its further consideration was indefinitely postponed.

The bill to amend an act entitled an act to revive the poor laws repealed by the revised statutes, in certain counties, approved March 17, 1847, was taken up, and the amendment reported by the committee of the whole was non-concurred in.

The bill was then ordered to be read the third time.

The bill to authorize Norman A. Harrington of the county of Ingham, to convey certain real estate was taken up, and the amendment thereto, reported by the committee of the whole, was concurred in.

• The question then being on ordering the bill to be engrossed and read the third time, it was decided in the negative.

The House then resolved itself into a committee of the whole on the general order, Mr. Coe in the chair, and after spending some time thereon, the committee rose and by its chairman reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to establish a state Normal school.

On motion of Mr. Coe,

The bill was laid on the table.

Mr. Ingersoll, from a select committee, by unanimous consent made the following report, which was accepted and the committee discharged:

The select committee appointed to wait on Gen. Lewis Cass and invite him to take a seat within the bar of the House, during his

stay at Lansing, have performed the duty assigned them, and received for reply that the invitation is accepted with profound thanks for the honor conferred.

On motion of Mr. A. Gillet,  
The House adjourned.

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*Thursday, February 1, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. Comstock.

The roll was called and Messrs. Andrews, Bacon, Burk, Cady, Chamberlain, Chittenden, Curtis, Davis, Earl, Ferguson, Flower, Giddings, M. S. Gillett, Lockwood, Moffatt, Mulhollen, Salyer, Stoddard, Tilden, J. W. Turner, Turrill, Tuttle and Wright were absent on leave, and Messrs. Dayton, Fox, Hammond, Meran and Mosher were absent without leave.

Mr. Hatch asked and obtained leave of absence for Messrs. Fox and Moran for the day.

Mr. A. Gillet for Mr. Dayton, for the day.

Mr. Hobart for Hammond, for the day.

Mr. Deming for Mr. Mosher, for an indefinite time.

The journal of yesterday was read and approved.

Mr. H. H. Comstock presented the petition of S. F. Drury, for an amendment to the law regulating the duties of the highway commissioners and overseers of highways; referred to the committee on roads and bridges.

Mr. Matthews presented the petition of one hundred and seventy-three citizens of the county of St. Joseph, for the incorporation of a company to construct a railroad from Marshall, via Union City, to Constantine; referred to the committee on banks and incorporations.

Mr. Haight presented the petition of L. H. Haynes, and one hundred others, of Saline and vicinity, for the restoration of the garnishee law; referred to the committee on the judiciary.

Mr. Hobart presented the petition of Chester Hammond and twenty-three others, and of Thomas Moseley and one hundred and fifty others, of Calhoun and Branch counties, for the incorporation of a company to construct a railroad from Marshall, via Union City, to Constantine; referred to committee on banks and incorporations.

Mr. Kilborn presented the claim of A. Ward; referred to the committee on claims.

Mr. G. B. Turner, from the committee on claims, to whom was referred the petition of Leonora M. Ellis, widow of Edward D. Ellis, in behalf of Ellis & Briggs, for damages in consequence of an alleged breach of contract on the part of the state, reported the same back without action, asked to be discharged from its further consideration, and recommended that it be referred to the committee on printing, which report was accepted, the committee discharged, and the petition referred to the committee on printing.

Mr. Pennoyer, from the committee on ways and means, to whom were referred the resolution and memorials of several boards of supervisors, asking certain amendments to the tax laws, submitted a written report thereon, which report was read, accepted, and the committee discharged from the further consideration of the subject.

On motion of Mr. G. B. Turner,

The report was laid on the table and ordered to be printed.

Mr. Morton, from the committee on state affairs, reported a bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, which was read twice and referred to the committee on the judiciary.

Mr. Morton, from the same committee, to whom was referred the petition of sundry citizens of Adrian, for an amendment to the license laws, reported the same back and reported adverse to the prayer of the petition, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

Mr. Morton, from the same committee, reported a joint resolution in relation to the publication of certain laws in the German language, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Morton, from the same committee, to whom was referred the petition of A. Kaminsky and others, for the establishment of an emigration agency, reported the same back without action, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

Mr. Coe, from the committee on the judiciary, reported a bill concerning divorces; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Matthews, from the committee on the organization of town-



ships and counties, reported a bill to provide for the location of the seat of justice in the county of Kent; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. O. C. Comstock, from the committee on education, to whom was referred the petition of J. B. Watson and twenty-two others, of the townships of White Lake and Commerce, in Oakland county, for the dissolution of a certain school district, reported the same back without action, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly engrossed, viz:

A bill to amend chapter thirty-eight of the revised statutes of 1846; and

A bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes.

The following messages were received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, January 31, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to extend the time for the collection of taxes for the year A. D. one thousand eight hundred and forty-eight, in the township of Monroe, county of Monroe;

Also an act to provide for the collection of taxes in the township of Norton, in the county of Ottawa, for the year one thousand eight hundred and forty-eight;

Also a joint resolution for the relief of John Lee.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE, }  
Lansing, January 31, 1849. }

*To the House of Representatives:*

I herewith transmit a report of the Auditor General, together with the accompanying document, in compliance with a resolution of the House, of the 30th inst., requesting the Governor "to transmit to the House a report of the disbursements made under an act entitled

an act to provide for defraying the expenses of enlisting, transporting and subsisting the volunteer regiment called from this state to serve in the existing war with Mexico, approved January 15, 1848-

EPAPHRO. RANSOM.

On motion of Mr. Deming,

The foregoing message and accompanying document was laid on the table and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, January 31, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the amendment of the House to the joint resolution to encourage immigration, and that the same as amended has been ordered to be enrolled.

I am further instructed to transmit herewith the following entitled bills and joint resolution, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to authorize a re-location of the Northern wagon road between the villages of Flint and Corunna;

A bill to authorize Townsend North to build a dam across Cass river; and

Joint resolution relative to storing the ordnance of the state, &c.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to authorize Townsend North to build a dam across Cass river, and

The Senate bill to authorize a re-location of the northern wagon road between the villages of Flint and Corunna,

Were severally read twice and referred to the committee on roads and bridges.

The Senate preamble and joint resolution relative to storing the ordnance of the state, &c., was read twice and referred to the committee on the militia.

On motion of Mr. G. B. Turner,

The bill to amend chapter one hundred and fifty-five of the revised statutes, in relation to forgery and counterfeiting, was taken from the table, and

The bill was ordered to be engrossed and read the third time.

Mr. Parkhurst gave notice that on some future day he would ask leave to introduce a bill appropriating certain lands for the improvement of a road leading from Pontiac to Lapeer.

On motion of Mr. O'Malley,

*Resolved*, That the memorial accompanying the bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, be ordered printed.

On motion of Mr. Hawley,

The following resolution was taken from the table:

*Resolved*, That from and after this day, but two hundred copies of the daily journals of this House be printed for the use of the members of the House.

On motion of Mr. H. H. Comstock,

The resolution was referred to the committee on printing.

Mr. Pennoyer, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill to amend section fifty of chapter one hundred and eight, of the revised statutes of 1846, which was read twice and referred to the committee on the judiciary.

On motion of Mr. H. H. Comstock,

*Resolved*, That two hundred extra copies of the report of the committee on ways and means, relative to a change of the tax laws, be and are hereby ordered to be printed.

On motion of Mr. Coe,

The vote was reconsidered by which the House refused to order the bill to authorize Norman A. Harrington, of the county of Ingham, to convey certain real estate, to be engrossed and read the third time.

Mr. Coe moved that the bill be laid upon the table, which motion prevailed.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to repeal section twelve of an act to amend

the revised statutes of 1846, approved April 3, 1846, which was read twice and referred to the committee on the judiciary.

The following entitled bills were severally read the third time and passed, viz:

A bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes;

A bill to amend chapter thirty-eight of the revised statutes of 1846; and

A bill to amend an act entitled an act to revive the poor laws repealed by the revised statutes, in certain counties, approved March 17, 1847.

The House then resolved itself into a committee of the whole on the general order, Mr. Hawley in the chair, and after spending some time thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill to provide for laying out a state road from Mason to Dexter;

A bill to amend an act entitled an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the State of Michigan;

A bill to provide for laying out private roads;

A bill to authorize the commissioner of the state land office to sell certain university lands; and

A joint resolution authorizing the board of state auditors to settle certain claims.

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to authorize the commissioner of the state land office to sell certain primary school lands;

A bill to amend section one hundred and seven, chapter fifty-eight of the revised statutes; and

A joint resolution directing a publication of a statement of lands to be sold in the county of Ionia in 1849.

The joint resolution authorizing the board of state auditors to sell certain claims was taken up, and

On motion of Mr. Coe,

Amended by inserting the words "belonging to the internal improvement fund," after "treasury" in the eighth line.

On motion of Mr. G. B. Turner,

The joint resolution was amended by striking out all after the resolving clause.

Mr. G. B. Turner then moved that the further consideration of the resolving clause be indefinitely postponed, which motion prevailed.

The bill to provide for laying out a state road from Mason to Dexter, was ordered to be engrossed and read the third time.

Mr. Allen moved an adjournment, which motion did not prevail.

The bill to amend an act entitled an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan, was taken up, and

On motion of Mr. H. H. Comstock,

Amended by adding thereto the following to stand as section three:

"Sec. 3. That section one be so amended that the word "eight," in the fifth line, be stricken out and the word "fifteen" be inserted.

On motion of Mr. Coe,

The second line of section one was amended by striking out the words "said act," and inserting "an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan, approved April 3, 1848."

On motion of Mr. Ingersoll,

The bill was laid on the table.

On motion of Mr. Ingersoll,

The House adjourned.

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*Friday, February 2, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called and Messrs. Andrews, Burk, Cady, Chamberlain, Curtis, Davis, Earl, Ferguson, Flower, Giddings, M. S. Gillett, Lockwood, Moffatt, Mosher, Mulhollen, Stoddard, Tilden, J. W. Turner, Turrill, Tuttle and Wright were absent with leave, and Messrs. A. Gillet, Hammond, Hatch, Hawley, Hobart, Moran, O'Malley and Waite were absent without leave.

Mr. Ingersoll asked and obtained leave of absence for Mr. O'Malley for one week.

Mr. David for Messrs. Hawley, Hobart and Moran, for the same time.

Mr. Dayton for Mr. A. Gillet, for two days.

Mr. Fox for Mr. Hatch, for the same time.

Mr. Haight for Mr. Waite, for four days.

The journal of yesterday was read and approved.

Mr. Lovell presented the petition of Ammon Wilson and sixty-three others, for an appropriation of internal improvement lands to build a bridge across Grand river, at Saranac, in the township of Boston, in Ionia county, and also for the re-annexation of certain territory to the said township of Boston; referred to the committee on the organization of townships and counties.

Mr. Kilborn presented the petition of W. F. Jennison and others, of the county of Clinton, asking the consolidation of the counties of Clinton, Eaton and Ingham, in one county, with the county site at Lansing; referred to the committee on the organization of townships and counties.

Mr. Nair presented the memorial of the judge advocate general of the Michigan militia; and

The memorial of Peter Morey, relative to his claim against the state;

Which memorials were referred to the committee on claims.

Mr. Morton presented the petition of George Landon and one hundred and forty others, of Johnson Wickham and forty others, of A. Grant and forty-five others, of W. V. Studiford and thirty-four others, and of E. B. Root and forty-six others, all of Monroe county, for the recharter of the Farmers' and Mechanics' bank of Michigan; laid on the table.

Mr. Buck presented the petition of C. L. Miller and thirty-five others, of the county of St. Joseph, for the incorporation of a company to construct a railroad from Marshall to Constantine; referred to the committee on banks and incorporations.

Mr. Pennoyer presented the petition of Holden C. Lowing and fifteen others, for the organization of a new township in the county of Ottawa; referred to the committee on the organization of townships and counties.

Mr. Kilborn presented the remonstrance of Robert Pointer and

eighty-six others, against any alteration in the line of the Lansing and Allegan road; referred to the committee on roads and bridges.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of A. Ward, reported the same back, and reported adverse to the same, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Kilborn, from the committee on public lands, to whom was referred the petition of James Hudson and others, asking the passage of a law authorizing the appraisal of certain university lands, and giving authority to the said Hudson to purchase the same at such appraised value, reported the same back, and reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Matthews, from the committee on the organization of townships and counties, reported a bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, reported a bill to authorize the arrest and removal of fugitives from justice, and

A bill to amend an act entitled an act to amend the revised statutes of 1846, approved March 17, 1847,

Which were severally read twice, ordered to be printed; referred to the committee of the whole, and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly engrossed, viz:

A bill to provide for laying out a state road from Mason to Dexter; and

A bill to amend chapter one hundred and fifty-five of the revised statutes, in relation to forgery and counterfeiting.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, February 1, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bill and joint resolution, and respectfully inform you that the Senate have concurred therein, viz:

A bill to provide for the payment for wood, lights and other incidental expenses of the legislature and state offices; and

Joint resolution appointing the Michigan State Journal the state paper, and for other purposes.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to extend the time for the collection of taxes in the township of La Salle, in the county of Monroe, and

A bill to authorize the improvement of the Kalamazoo river.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The bill to provide for the payment for wood, lights and other incidental expenses of the legislature and state offices; and

The joint resolution appointing the Michigan State Journal the state paper, and for other purposes, were ordered to be enrolled.

The Senate bill to authorize the improvement of the Kalamazoo river, was read twice and referred to the committee on internal improvement.

The bill to extend the time for the collection of taxes in the township of La Salle, in the county of Monroe, was read twice when

Mr. Morton moved a suspension of so much of the standing rules as would be necessary to enable the bill to be now taken up, which motion prevailed, and

The bill was ordered to be read the third time, was so read, and was passed.

On motion of Mr. Ingersoll,

*Resolved*, That the Auditor General be, and he is hereby directed to report to this House, as soon as practicable, if there is on file in his office, a certain voucher upon which a warrant was drawn by Charles G. Hammond, or under his direction, while auditor general, in favor of said Hammond, over and above his salary, as fixed by law; and if so, to transmit a copy of said voucher to this House.

Mr. Chittenden gave notice that on some future day he would ask leave to introduce a bill to amend the charter of the city of Detroit.

On motion of Mr. Ingersoll,

The following entitled bills were taken from the table and referred to the committee on mines and minerals:

A bill to incorporate the Native copper company; and



A bill to incorporate the Pittsburg and Isle Royal copper mining company of Pittsburg.

The following entitled bills were severally read the third time and passed, viz:

A bill to amend chapter one hundred and fifty-five of the revised statutes, in relation to forgery and counterfeiting; and

A bill to provide for laying out a state road from Mason to Dexter.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bill and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to provide for the payment for wood, lights, and other incidental expenses of the legislature and state offices; and

A joint resolution appointing the Michigan State Journal the state paper, and for other purposes.

The House having arrived at the order of unfinished business, took up the bill to authorize the commissioner of the state land office to sell certain university lands, when

Mr. Ingersoll moved to amend the same by striking out of the second section, the words "state paper of the state of Michigan," and inserting "Detroit Commercial Bulletin, Detroit Daily Advertiser, and the Monroe Advocate," which motion prevailed.

Mr. Kilborn moved an amendment, striking out the words "and in such other papers as he may think requisite and proper," and inserting "and the Detroit Gazette."

Mr. Coe moved to amend the amendment by adding "and Lake Superior News," to the words proposed to be inserted, which motion was lost.

Mr. Chittenden moved to amend the amendment by adding "and Primitive Expounder," to the words to be inserted, which was not agreed to.

Mr. Ingersoll moved a call of the House, which was had, when it was found that Messrs. O. C. Comstock, Hammond and Lovell were absent without leave, and

The Sergeant-at-Arms was sent for the absentees.

Mr. O. C. Comstock having returned;

On motion of Mr. Ingersoll,

All further proceedings under the call were dispensed with.

The question then recurring on the amendment moved by Mr. Kilborn, it was rejected.

Mr. Ingersoll moved to amend the second section by striking out the words "and in in such other papers as he may deem requisite and proper," which motion prevailed.

Mr. McNeil moved to amend the same section by striking out all after the word "published" in the third line, to the word "thirty" in the fourth line, and inserting "in such papers as he may think requisite," which motion was lost.

Mr. Ingersoll moved the previous question, which was demanded, by the following vote:

## YEAS.

Mr. Allen,	Mr. H. H. Comstock,	Mr. Pennoyer,
Bacon,	O. C. Comstock,	Salyer,
Bowne,	Dayton,	Smith,
Buck,	Haight,	St. Clair,
Campbell,	Ingersoll,	G. B. Turner,
Coe,	Matthews,	Speaker,
Coman,	Morton,	

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## NAYS:

Mr. Belding,	Mr. Harger,	Mr. McNeil,
Chittenden,	Hartsuff,	Parkhurst,
David,	Holmes,	Stevens,
Deming,	Kilborn,	Wilkinson,
Fox,	McNair,	

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The main question was ordered to be now put, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. McNeil,
Bacon,	Dayton,	Pennoyer,
Bowne,	Fox,	Salyer,
Buck,	Haight,	Smith,
Coe,	Holmes,	St. Clair,
Coman,	Ingersoll,	G. B. Turner,
H. H. Comstock,	Matthews,	Speaker,

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## NAYS.

Mr. Belding,	Mr. Deming,	Mr. McNair,
Campbell,	Harger,	Parkhurst,
Chittenden,	Hartsuff,	Stevens,
David,	Kilborn,	Wilkinson,

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The main question being on ordering the bill to be read the third time, was then put and decided in the affirmative.

The House then took up the bill to provide for laying out private roads, and

Mr. G. B. Turner moved to amend the first line of section two by striking out the words "in case" at the beginning of the line, and also the words "they may" before "proceed" and inserting "and," which amendments were agreed to.

Mr. G. B. Turner moved to amend the bill by adding thereto the following two sections, which were severally adopted, viz:

"Sec. 6. In case the commissioners shall decide against any application for laying out or altering any private road, no second application for the same purpose shall be entertained by them for the space of twelve months after making the first application.

"Sec. 7. All costs and charges attending the laying out and altering of any private road shall be defrayed by the applicant or applicants for the same, and no cost or charges whatever shall be allowed or paid by any township in consequence of any application to the commissioners for the laying out or altering any private road."

Mr. Ingersoll moved to amend the sixth line of section one, by striking out the words "posted up at least twenty," and inserting "published in some newspaper printed within the county if there be one."

Mr. Buck moved to amend the amendment by adding to the words proposed to be inserted, "and in the Lake Superior News," which motion was lost, and

The question recurring on the original amendment, it was rejected.

On motion of Mr. Coe,

The vote by which the House amended the bill by adding thereto the seventh section, was reconsidered, and

The question recurring on the adoption of section seven, it was decided in the negative.

Mr. Hartsuff moved that the bill be laid on the table, which motion was lost.

Mr. Hartsuff moved an adjournment, but the House refused to adjourn.

Mr. Ingersoll offered the following to stand as section seven;

"Sec. 7. All private roads laid out under the provisions of this act, shall follow the section lines, or legal sub-divisions of said land, on which said road may be laid out, provided that said lines will admit of the making of such roads."

Mr. David moved the previous question, which was not demanded, and

The question, recurring on the additional section, it was not adopted.

On motion of Mr. Deming,

The fifth line of section two was amended by striking out all after the word "highways."

On motion of Mr. St. Clair,

The House adjourned.

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*Saturday, February 3, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. Comstock.

The roll was called, and Messrs. Burk, Cady, Chamberlain, Curtis, Davis, Ferguson, Flower, A. Gillet, M. S. Gillett, Hatch, Hawley, Hobart, Lockwood, Moran, Mosher, O'Malley, Stoddard, Tilden, J. W. Turner, Turrill, Tuttle, Waite and Wright were absent on leave, and Messrs. Deming, Hammond, Holmes and Lovell were absent without leave.

Mr. Wilkinson asked and obtained leave of absence for Mr. Deming for the day.

Mr. Moffatt for Mr. Hammond, for two days.

Mr. McNeil for Mr. Holmes, for three days.

The journal of yesterday was read and approved.

Mr. Coman presented the petition of W. W. Murphy and one hundred and eighteen others, of Hillsdale county, for the re-charter of the Farmers' and Mechanics' bank of Michigan; laid on the table.

Mr. Moffatt presented the petition of John D. Pierce and fifty others, for the appointment of commissioners to lay out a road from Ceresco mills, in the town of Marshall, to Bellevue, in Eaton county; referred to the committee on roads and bridges.

Mr. Giddings presented the petition of Stephen Vickery, H. G. Wells and fifty-six others, for a repeal of chapter thirty-eight of the revised statutes of 1846, and a revival of the poor laws in force on the twenty-eighth day of February, 1847; and

The petition of George Thomas and thirty-five others, asking an alteration of the poor laws, so that each town may support its own poor; which petitions were referred to the committee on the judiciary.

Mr. Buck presented the petition of P. L. Baldy and thirty others, of St. Joseph county, for the re-charter of the Farmers' and Mechanics' bank of Michigan; laid on the table.

Mr. Chittenden presented the petition of L. C. Fletcher and others, for a change of the name of the county of Van Buren; referred to the committee on the organization of townships and counties.

Mr. Buck presented the petition of John S. Barry and forty others, citizens of St. Joseph county, relative to the claim of John Graham, of said county; referred to the committee on claims.

Mr. Matthews presented the petition of Franklin Welles, and three hundred and fifteen others, of St. Joseph county, for the incorporation of a company to construct a railroad from Marshall to Constantine; referred to the committee on banks and incorporations.

Mr. Coe, from the committee on the judiciary, reported a bill to authorize proceedings against garnishees, and for other purposes, which was read twice, and

On motion of Mr. G. B. Turner,

Laid on the table and ordered to be printed.

Mr. Campbell, from the committee on internal improvement, to whom was referred the Senate bill to authorize the improvement of the Kalamazoo river, and for other purposes, reported the same back without action, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

Mr. H. H. Comstock moved that the bill be laid on the table, which motion was lost, and

On motion of Mr. Coe,

The bill was referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, to whom was referred the petition of James Scribner and C. A. Loomis and others, for an alteration of the present plans adopted for the construction of a canal and locks around the rapids of Grand river at Grand Rapids, and also sundry remonstrances against any alteration in such plans, reported the same back, and reported adverse to any legislative action thereon, which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Coe, from the committee on the judiciary, to whom was referred the bill to repeal section twelve of an act to amend the revised

statutes of 1846, approved April 3, 1846, reported the same back without amendment and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Buck, from the committee on internal improvement, reported a bill to incorporate the St. Joseph river navigation company, which was read twice, referred to the committee of the whole, placed on the general order and ordered to be printed.

Mr. Bacon, from the committee on ways and means, to whom was referred sundry memorials of boards of supervisors, asking an alteration of tax laws, submitted a minority report thereon, which was accepted, and

On motion of Mr. G. B. Turner,

Laid on the table and ordered to be printed.

Mr. Chittenden, from the committee on banks and incorporations, to whom was referred the Senate bill to incorporate the Tecumseh literary institute, and the Senate bill to incorporate the Genesee county literary institute, reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged, and

The bills were referred to the committee of the whole and placed on the general order.

Mr. Chittenden, from the same committee, to whom was referred the bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company, reported the same back without amendment, and recommended its passage, which report was accepted, the committee discharged, and

The bill was ordered to be printed, referred to the committee of whole, and placed on the general order.

Mr. Chittenden, from the committee on the militia, to whom was referred the Senate preamble and joint resolution relative to storing the ordnance of the state, &c., reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The preamble and joint resolution was referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, February 2, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

"An act to provide for the payment for wood, lights and other incidental expenses of the Legislature and State offices."

Also, a "joint resolution appointing the Michigan State Journal the state paper and for other purposes."

EPAPHRO. RANSOM.

A communication was received from the Auditor General in reply to the resolution yesterday adopted, calling upon him for information relative to certain vouchers, which was read, and

On motion of Mr. Ingersoll,

The communication and accompanying documents were laid on the table and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, February 2, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bills and joint resolutions which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of range fourteen east, known as salt spring lands belonging to the state;

A bill to vacate a portion of the plat of the village of Grand Rapids, in the county of Kent;

Joint resolution relative to the selection of public lands; and

Joint resolution relative to furnishing certain laws and documents to the military store-keeper of the United States at Dearbornville.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The Senate bill to vacate a portion of the village plat of the village of Grand Rapids, in the county of Kent, was read twice and referred to the committee on banks and incorporations.

The Senate bill to authorize Alfred Ashley, his heirs or assigns,

to construct a plank road across those parts of sections two and eleven in township three north, of range number fourteen east, known as salt spring lands belonging to the state; and

The Senate joint resolution relative to the selection of the public lands,

Were severally read twice and referred to the committee on public lands.

The Senate joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville, was read twice, and referred to the committee on the state library.

Mr. Morton gave notice that on some future day he would ask leave to introduce a bill to incorporate the Isle Royal mining company.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce a bill to incorporate the Minnesota mining company, and a bill to incorporate the North West mining company of Michigan.

Mr. Stevens gave notice that on some future day he would ask leave to introduce a bill to amend chapter twenty-four, section seventeen, of an act relative to the powers and duties of commissioners and overseers of highways.

Mr. McNair gave notice that on some future day he would ask leave to introduce a bill authorizing the supervisor of the town of Fairfield, Lenawee county, to issue a new warrant for the collection of the balance of taxes due in said town.

Mr. Stevens offered the following resolution:

*Resolved*, That the committee on engrossment and enrollment be directed to make arrangements with Horace S. Roberts to record the journals of the House of the last session.

On motion of Mr. Coman,

The resolution was laid on the table.

On motion of Mr. O. C. Comstock,

The bill to establish a state Normal school was taken from the table, and

And the first, second, fourth and fifth amendments reported thereto by the committee of the whole, were severally concurred in.

The third amendment, which inserted the words "or she" after "he" in the first, second and third lines of section fourteen was,



On motion of Mr. David,

Amended by striking out the words "or she" in the amendment, and the word "he" in the bill, and inserting "said person," and

The amendment as amended was then concurred in.

On motion of Mr. Coe,

The vote by which the House concurred in the first amendment, was reconsidered, and such amendment was

On motion of Mr. Coe,

Amended by striking out the word "common" and inserting "primary," and

The amendment as amended was then concurred in.

Mr. Giddings moved to amend section ten by striking out therefrom the words "the said board shall require of every person, on entering said school, to sign a declaration of intention to follow the business of teaching primary schools in this state," pending which

Mr. Coe moved to amend the section by striking out the words "in this state," which motion was lost, and

The question recurring on the motion made by Mr. Giddings, it was decided in the negative, by the following vote:

YEAS.

Mr. Allen,	Mr. Earl,	Mr. Matthews,	
Bowne,	Fox,	Mulhollen,	
Buck,	Giddings,	Parkhurst,	
Chamberlain,	Harger,	Salzer,	
Coe,	Ingersoll,	Smith,	15

NAYS.

Mr. Andrews,	Mr. David,	Mr. Morton,	
Bacon,	Dayton,	Pennoyer,	
Belding,	Haight,	St. Clair,	
Campbell,	Hartsuff,	Stevens,	
Coman,	McNair,	G. B. Turner,	
H. H. Comstock,	McNeil,	Wilkinson,	
O. C. Comstock,	Moffatt,	Speaker,	21

The bill was then ordered to be engrossed and read the third time.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the charter of the city of Detroit.

Mr. Chittenden, by unanimous consent, previous notice not having been given, introduced a bill to incorporate the Frederick and Utica plank road company;

Which bills were severally read twice and referred to the committee on banks and incorporations.

The bill to authorize the commissioner of the state land office to sell certain university lands, was read the third time and passed.

The House having arrived at the order of unfinished business, took up the bill to provide for laying out private roads, when

Mr. Coe moved that the same be amended by striking out the third section, which motion prevailed.

Mr. Fox moved that the vote by which all after "highways," in the fifth line of section two was stricken out, be reconsidered, which motion was lost.

Mr. Chamberlain moved that the bill be laid on the table, which was not agreed to.

On motion of Mr. Coe,

The third line of section one was amended by striking out the word "twenty" and inserting "ten."

Mr. Fox moved that the bill be recommitted to the committee on roads and bridges, which motion was lost, and

The bill was ordered to be engrossed and read the third time.

The joint resolution directing the publication of a statement of lands to be sold in the county of Ionia, in the year 1849, was taken up and the amendment reported thereto by the committee of the whole, was concurred in.

The joint resolution was then ordered to be engrossed and read the third time.

The bill to authorize the commissioner of the state land office to sell certain primary school lands, was taken up, and the amendment reported thereto by the committee of the whole, was concurred in.

Mr. H. H. Comstock moved to amend the fourth line of section one by striking out the word "six" before "dollars" and inserting "eight," which motion was lost, and

The bill was ordered to be read the third time.

The bill to amend section one hundred and seven of chapter fifty-eight of the revised statutes, was taken up, and the amendment reported thereto by the committee of the whole was concurred in.

The bill was then ordered to be read the third time.

The House then resolved itself into a committee of the whole on the general order, Mr. H. H. Comstock in the chair.

And after spending some time thereon, the committee rose and by their chairman reported back to the House, without amendment,

A bill to provide for the support of the poor in the county of Calhoun, and for other purposes;

A bill to provide for the location of the seat of justice in the county of Kent;

A bill to authorize the improvement of the Kalamazoo river, and for other purposes; and

A joint resolution in relation to the publication of certain laws in the German language;

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill concerning divorces;

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes; and

A joint resolution relative to John G. Bean, a discharged convict.

On motion of Mr. Stevens,

The House adjourned.

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*Monday, February 5, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. Comstock.

The roll was called, and Messrs. Cady Curtis, Davis, Flower, Ferguson, A. Gillet, M. S. Gillett, Hammond, Hatch, Hawley, Hobart, Holmes, Lockwood, Moran, Mosher, O'Malley, Stoddard, Tilden, J. W. Turner, Tuttle, Waite and Wright were absent on leave, and Messrs. Deming and Lovell were absent without leave.

Mr. McNair asked and obtained leave of absence for Mr. Deming for the day.

On motion of Mr. Salyer,

The action of the rule requiring the reading of the journal was suspended.

Mr. H. H. Comstock presented the petition of G. S. Willson and others, for a repeal of the usury laws; referred to the committee on the judiciary.

Mr. Campbell presented the petition of N. F. Butterfield and one hundred and two others, for an extension of the charter of the Farmers' and Mechanics' bank; laid on the table.

Mr. Bowne presented the petition of O. B. Sheldon and seventy-three others, for the appropriation of certain non-resident highway taxes on the state road from Lansing to Hastings; referred to the committee on roads and bridges.

Mr. Bowne presented the remonstrance of Nathan Barlow and others, against changing the name of the township of Gates to Yankee Springs, in Barry county, with accompanying papers; referred to the committee on the organization of townships and counties.

Mr. Wilkinson presented the petition of R. H. Whitney and others, of the county of Lenawee, for the repeal of certain laws in relation to the draining of swamps, marshes and other low lands; referred to the committee on the judiciary.

The Speaker presented the memorial of the mayor, recorder and aldermen of the city of Detroit, in reference to certain amendments to the charter of said city; referred to the committee on banks and incorporations.

The Speaker also presented the petition of Augustus Kendrick, asking the passage of a law changing his name to Augustus Seidle; referred to the committee on state affairs.

Mr. Andrews presented the petition of citizens of Van Buren county, for an appropriation of non-resident highway taxes on a certain road; referred to the committee on roads and bridges.

Mr. Andrews also presented the petition of H. W. Phelps and forty-nine others, of Van Buren county, for a change in the tax laws; referred to the committee on ways and means.

Mr. G. B. Turner, from the committee on claims, to whom was referred the petition of John S. Barry and other citizens of St. Joseph county, relative to the claim of John Graham, reported the same back, and reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolution were correctly engrossed, viz:

A bill to provide for laying out private roads;

A bill to establish a state Normal school; and

A joint resolution directing the publication of a statement of lands to be sold in the county of Ionia, for 1849.

Mr. Coe, from the committee on the judiciary, submitted the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz:

The committee on the judiciary, to whom was referred the petition of George Thomas and others, and also the petition of Stephen Vickery, H. G. Wells and others, praying for an alteration in the poor laws, so that each town may support its own poor, have had the same under consideration, and have instructed me to report: That the object sought by the petitioners may be gained by the passage of a bill already upon our tables, amendatory of chapter thirty-eight of the revised statutes of 1846. They therefore report the same back and asked to be discharged from the further consideration of the subject.

Mr. Pennoyer, from the committee on ways and means, reported a bill to provide for a state board of equalization and for the apportionment of the state tax, and for other purposes, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Chittenden, from the committee on banks and incorporations, to whom was referred the Senate bill to vacate a portion of the plat of the village of Grand Rapids, in the county of Kent, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Chittenden, from the committee on banks and incorporations, to whom was referred the bill to amend the charter of the city of Detroit, and the bill to incorporate the Frederick and Utica plank road company, reported the same back without amendment and recommended their passage, which report was accepted, and the committee discharged from the further consideration of the subject, and

The bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Chittenden, from the same committee, reported a bill to amend the charter of the village of Adrian, and to limit the amount of taxes to be raised in said village in any one year, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, reported a joint resolution requiring reports from certain special commissioners, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

On motion of Mr. Morton,

*Resolved*, That the use of the Hall of the House of Representatives be granted to the bible society of Lansing, to hold its annual meeting this evening.

Mr. McNair gave notice that on some future day he would ask leave to introduce a bill to amend the charter of the Cottonwood swamp turnpike company.

Mr. Morton, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Isle Royal mining company, which was read twice and referred to the committee on banks and incorporations.

Mr. Moffatt, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Temple building company of Battle Creek, which was read twice and referred to the committee on banks and incorporations.

Mr. Fox gave notice that on some future day he would ask leave to introduce a bill to amend an act to exempt a homestead from forced sale in certain cases, approved March 25, 1848, and

A bill to define and amend the eight subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846.

Mr. Mc. Nair, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the supervisors of the township of Fairfield, in the county of Lenawee, to renew the warrant for the collection of taxes in said township, which was read twice and referred to the committee on ways and means.

Mr. Chamberlain gave notice that he would on some future day ask leave to introduce a bill appropriating certain internal improvement lands for the improvement of roads and bridges in the county of Berrien.

On motion of Mr. Coe,

The bill to authorize proceedings against garnishees, and for other purposes, was taken from the table, referred to the committee of the whole and placed on the general order.

On motion of Mr. H. H. Comstock,

The bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, was taken from the table, referred to the committee of the whole and placed on the general order.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Minesota mining company, and a bill to incorporate the North-Western mining company of Michigan, which were severally read twice and referred to the committee on banks and incorporations.

On motion of Mr. H. H. Comstock,

*Resolved*, That the Attorney General be and is hereby requested to communicate to this House at his earliest convenience, the conditions, terms and compromises, of the settlement of the Detroit and Pontiac rail road company with the state, as authorized by a joint resolution passed April 3, 1848.

Mr. Harger offered the following concurrent resolution, which under the rule, was laid on the table, viz:

*Resolved*, (the Senate concurring) That this House will, on the second Wednesday of March next, adjourn *sine die*.

The following entitled bills and joint resolution were severally read the third time and passed, viz:

A bill to authorize the commissioner of the state land office to sell certain primary school lands; and

A bill to provide for laying out private roads;

A joint resolution directing the publication of a statement of lands to be sold in the county of Ionia for the year 1849.

The bill to amend section one hundred and seven of chapter fifty-eight of the revised statutes, was read the third time and passed, by yeas and nays, as follows:

#### YEAS.

Mr. Bacon,  
Belding,  
Bowne,  
Burk,  
Campbell,  
Chittenden,  
H. H. Comstock,  
Dayton,  
Earl,

Mr. Haight,  
Harger,  
Hartsuff,  
Ingersoll,  
Kilborn,  
Matthews,  
McNair,  
McNeil,

Mr. Mulhollen,  
Parkhurst,  
Salzer,  
Smith,  
Stevens,  
G. B. Turner,  
Turrill,  
Wilkinson,

## NAYS.

Mr. Allen,	Mr. Coman,	Mr. Moffatt,
Andrews,	O. C. Comstock,	Pennoyer,
Buck,	David,	St. Clair,
Chamberlain,	Fox,	Speaker,
Coe,	Giddings,	

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The bill to establish a state Normal school was read the third time, when

Mr. Giddings moved that it be re-committed to the committee on education, with instructions to amend section ten by striking out, therefrom the words "the said board shall require of every person, on entering said school, to sign a declaration of intention to follow the business of teaching primary schools in this state," and also to amend section three, so that the board of education shall be elected by the people; which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Mulhollen,
Bowne,	Earl,	Salyer,
Buck,	Giddings,	Smith,
Burk,	Harger,	Turrill,
Coe,		

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## NAYS.

Mr. Andrews,	Mr. Fox,	Mr. Morton,
Bacon,	Haight,	Parkhurst,
Belding,	Hartsuff,	Pennoyer,
Campbell,	Ingersoll,	St. Clair,
Chamberlain,	Kilborn,	Stevens,
Chittenden,	Matthews,	G. B. Turner,
Coman,	McNair,	Wilkinson,
H. H. Comstock,	McNeil,	Wright,
O. C. Comstock,	Moffatt,	Speaker,
David,		

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The bill was then passed, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Morton,
Andrews,	Earl,	Mulhollen,
Bacon,	Fox,	Parkhurst,
Belding,	Giddings,	Pennoyer,
Burk,	Haight,	Salyer,
Campbell,	Hartsuff,	Smith,
Chamberlain,	Ingersoll,	St. Clair,
Coe,	Kilborn,	Stevens,
Coman,	Matthews,	G. B. Turner,
H. H. Comstock,	McNair,	Wilkinson,
O. C. Comstock,	McNeil,	Wright,
David,	Moffatt,	Speaker,

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## NAYS.

Mr. Buck,  
Chittenden,

Mr. Harger,

Mr. Turrill,

4

The House having arrived at the order of unfinished business, took up the bill to provide for the support of the poor in the county of Calhoun, and for other purposes, and it was,

On motion of Mr. Andrews,

Re-committed to the committee on the judiciary.

The joint resolution in relation to the publication of certain laws in the German language, was taken up, and

On motion of Mr. G. B. Turner,

Amended by adding "or for the correction of the proof sheets," after the word "same" in the fifth line.

Mr. Ingersoll moved that all after the resolving clause be stricken out, which motion was lost, by the following vote:

## YEAS.

Mr. Belding,  
Buck,  
Chamberlain,  
Coe,  
Fox,Mr. Harger,  
Ingersoll,  
Matthews,  
McNair,Mr. McNeil,  
Mulhollen,  
G. B. Turner,  
Turrill,

13

## NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Burk,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,Mr. David,  
Davis,  
Earl,  
Giddings,  
Haight,  
Hartsuff,  
Kilborn,  
Moffatt,  
Morton,Mr. Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stevens,  
Wilkinson,  
Wright,  
Speaker,

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The joint resolution was then ordered to be engrossed and read the third time.

The bill to provide for the location of the seat of justice in the county of Kent was taken up, when

Mr. Pennoyer moved that it be amended as follows:

Insert after the word "commissioners," in the third line of section one, the following, "who are not citizens or inhabitants of said county."

Insert after the word "examine" in the sixth line of section one, the following:

"And first ascertain whether the county seat for the county of

Kent has not already been located and established according to laws; and if they shall be satisfied said location has not legally been made and established, then it shall be their duty to visit."

Insert after the word "one" in the ninth line of section one, the words "half of one," so that said section one shall read as follows:

"That the Governor be and he is hereby authorized and required to appoint three suitable and disinterested persons as commissioners, who are not citizens or inhabitants of said county, to locate and establish the county seat of the county of Kent, who shall meet at such time and place as he may designate in said county, and after being duly sworn faithfully and impartially to discharge the duty assigned them, and also that they are not directly or indirectly interested in making said location, they shall proceed to examine and first ascertain whether the county seat of the county of Kent has not already been permanently located and established according to laws. And if they shall be satisfied such location has not already been legally made and established, then it shall be their duty to visit the several places proposed in said county, and shall establish said county seat at such place as they or a majority of them shall consider for the best interest of said county, upon such land as shall be deeded to the county for that purpose; provided the quantity of land so conveyed shall not be less than one half of one acre."

Pending the question on these amendments.

On motion of Mr. Coe.

The bill was laid on the table.

The bill to authorize the improvement of the Kalamazoo river and for other purposes, was taken up, when

Mr. Coe moved to amend the third section thereof, by striking out the words "or the location of which is not recognized by the secretary of the treasury;"

Pending which,

On motion of Mr. Parkhurst.

The bill was laid on the table.

The bill concerning divorces was taken up, and

On motion of Mr. Coe,

Laid on the table.

The joint resolution in relation to John G. Bean, a discharged convict, was taken up, and the amendment reported thereto by the committee of the whole was concurred in.

On motion of Mr. Hartsuff,  
The words "one hundred" before "dollars," were stricken out, and  
"fifty" inserted.

Mr. G. B. Turner moved that the further consideration of the resolution be indefinitely postponed,

Which motion was lost.

On motion of Mr. Chamberlain,

The House adjourned.

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*Tuesday, February 6, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Dr. Comstock.

The roll was called, and Messrs. Cady, Curtis, Davis, Flower, M. S. Gillett, Hammond, Hatch, Hawley, Hobart, Holmes, Lockwood, Moran, Mosher, O'Malley, Stoddard, Tilden, J. W. Turner and Tuttle were absent with leave, and Messrs. Lovell, Morton and Waite were absent without leave.

Mr. Bowne asked and obtained leave of absence for Mr. Lovell for an indefinite period.

Mr. A. Gillet for Mr. Waite, as above.

Mr. Allen for Mr. Morton, for the day.

On motion of Mr. Bacon,

The action of the rule requiring the reading of the journal was suspended.

Mr. Chittenden presented the petition of one hundred and thirty-one citizens of Detroit, for the passage of a law compelling the inspection of flour for exportation; and

The petition of Thomas C. Robinson, John Edwards and others, of G. Williams and one hundred and thirty-one others, and of J. H. Bagg and thirty-seven others, for the passage of a law requiring the inspection of fish; which petitions were referred to the committee on state affairs.

Mr. Matthews presented the petition of C. H. Starr and twenty-three others, of St. Joseph county, and of Wm. G. Strong and forty-four others, for the incorporation of a company to construct a railroad

from Marshall to Constantine; referred to the committee on banks and incorporations.

Mr. Chamberlain presented the petition of David Aitken and one hundred and twenty-four others, of Berrien county, for the passage of a law requiring the board of supervisors of said county to keep in repair certain bridges across the St. Joseph river; referred to the committee on roads and bridges.

Mr. Burk presented the petition of R. K. Charles and twenty-four others, and of Moses Joy and eighty-seven others, for the incorporation of a company to construct a plank road from Niles to Mottville; referred to the committee on banks and incorporations.

Mr. Coe, from the committee on the judiciary, to whom was referred the bill to provide for the support of the poor in the county of Calhoun, and for other purposes, reported the same back with sundry amendments, and recommended its passage, which report was accepted, and the committee discharged from the further consideration of the subject, and

The amendments reported by the committee were severally concurred in, and the bill was ordered to be engrossed and read the third time.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the bill to authorize the supervisor of the township of Fairfield, in the county of Lenawee to renew the warrant for the collection of the taxes in said township, reported the same back with sundry amendments and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject; and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the joint resolution in relation to the publication of certain laws in the German language, was correctly engrossed.

Mr. Kilbern, from the committee on public lands, to whom was referred the Senate bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven, in town three north of range fourteen east, known as salt spring lands belonging to the state, and

The Senate joint resolutions relative to the selection of public lands,

Reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill and joint resolutions were referred to the committee of the whole and placed on the general order.

Mr. Chittenden, from the committee on banks and incorporations, to whom was referred

A bill to incorporate the Temple building company of Battle Creek,

A bill to incorporate the Minesota mining company,

A bill to incorporate the Isle Royal mining company, and

A bill to incorporate the Northwest mining company of Michigan.

Reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the farther consideration of the subject, and

The bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Andrews, from the select committee appointed to canvass certain ballots in the township of Kalamazoo, under a resolution of this House, submitted a report in writing, which was read, accepted and the committee discharged, and

On motion of Mr. Andrews,

The report and accompanying documents were referred to the committee on elections.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 6, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company, and to respectfully inform you that the Senate have concurred therein.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to enlarge the powers of the district board of school district number one, in the township of Jackson, Jackson county;

A bill to extend the time for the collection of taxes in the township of Pontiac, county of Oakland;

A bill to incorporate the Siskowit mining company of Michigan;  
 A bill to incorporate the Ohio trap rock mining company; and  
 A bill to amend an act entitled an act to provide for the sale of  
 the Southern railroad, and to incorporate the Michigan southern rail-  
 road company.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company, was ordered to be enrolled.

The Senate bill to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland, and

The Senate bill to amend an act entitled an act to provide for the sale of the Southern railroad and to incorporate the Michigan southern railroad company,

Were severally read twice and referred to the committee on ways and means.

The Senate bill to enlarge the powers of the district board of school district number one, in the township of Jackson, in Jackson county, was read twice and referred to the committee on education.

The Senate bill to incorporate the Siskowit mining company of Michigan; and

The Senate bill to incorporate the Ohio trap rock mining company,

Were severally read twice and referred to the committee on banks and incorporations.

Mr. H. H. Comstock offered the following resolution:

*Resolved*, That, in the opinion of this House, it requires two-thirds of all members elected to pass any act of incorporation, to alter or change the same.

Mr. Matthews moved that the resolution be laid on the table, which motion was decided in the negative, by the following vote:

YEAS.

Mr. Buck,  
 Coe,  
 O. C. Comstock,  
 Dayton,  
 Earl,  
 Ferguson,

Mr. Fox,  
 Giddings,  
 A. Gillet,  
 Haight,  
 Harger,  
 Hartsuff,

Mr. Ingersoll,  
 Matthews,  
 McNair,  
 Mulhollen,  
 Salyer,  
 Wright,

## NAYS.

Mr. Allen,  
Andrews,  
Belding,  
Bacon,  
Bowne,  
Burk,  
Campbell,  
Chamberlain,

Mr. Chittenden,  
Coman,  
H. H. Comstock,  
David,  
Deming,  
McNeil,  
Moffatt,  
Pennoyer,

Mr. Smith,  
St. Clair,  
Stevens,  
G. B. Turner,  
Turrill,  
Wilkinson,  
Speaker,

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On motion of Mr. Ingersoll,

The resolution was made the special order for to-morrow afternoon.

On motion of Mr. Ingersoll,

The communication of the Auditor General, transmitting copies of certain vouchers, agreeably to a request of the House, was taken from the table, and referred to a committee of three, having power to send for persons and papers.

The Speaker appointed as said select committee Messrs. Ingersoll, Bowne and Coe.

Mr. Fox, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases, approved March 25, 1848, which was read twice and referred to the committee on the judiciary.

The joint resolution in relation to the publication of certain laws in the German language, was read the third time, and

On motion of Mr. H. H. Comstock,

Laid on the table.

The House having arrived at the order of unfinished business, took up the joint resolution relative to John G. Bean, a discharged convict, when

Mr. G. B. Turner moved that it be amended by striking out all after the resolving clause; pending which

Mr. Fox moved the following as a substitute for the joint resolution:

*Resolved, by the Senate and House of Representatives of the State of Michigan, That the inspectors and agent of the state prison at Jackson, be and they are hereby authorized at their discretion to employ John G. Bean, a discharged convict, in the hospital of said prison, and to furnish him food and raiment, and pay him a salary not exceeding one hundred dollars per annum.*

- This joint resolution shall take effect and be in force from and after its passage.

Mr. Giddings moved to amend the substitute by striking out the words "one hundred" and inserting "sixty."

Mr. Ingersoll moved that the further consideration of the whole subject be indefinitely postponed, which motion was lost, by the following vote:

## YEAS.

Mr. Belding,	Mr. Giddings,	Mr. Parkhurst,	
Buck,	A. Gillet,	Pennoyer,	
Chamberlain,	Ingersoll,	G. B. Turner,	
Chittenden,	McNair,	Tuttle,	
Deming,	McNeil,	Wilkinson,	
Ferguson,	Mulhollen,		17

## NAYS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. Matthews,	
Andrews,	David,	Moffatt,	
Bacon,	Dayton,	Salver,	
Bowne,	Earl,	Smith,	
Burk,	Fox,	St. Clair,	
Campbell,	Haight,	Stevens,	
Coe,	Harger,	Turrill,	
Coman,	Hartsuff,	Wright,	
H. H. Comstock,	Kilborn,	Speaker,	27

The question then recurring on the motion of Mr. Giddings, a division of the question was called for, and it was first taken on striking out the words "one hundred," and decided in the affirmative.

The question then being on inserting "sixty," it was decided in negative.

Mr. Buck moved to insert the word "fifty," in the blank caused by striking out "one hundred," which was not agreed to.

On motion of Mr. Fox,

The further consideration of the whole subject was indefinitely postponed.

The House took up the bill to provide for the sale of certain state tax lands and lands withheld for taxes; and for other purposes, and

The amendments reported thereto by the committee of the whole were severally concurred in.

On motion of Mr. Giddings,

The bill was laid on the table.



The House then resolved itself into a committee of the whole on the general order, Mr. G. B. Turner in the chair, and after spending some time thereon, the committee rose, and by their chairman reported back to the House without amendment,

A bill to incorporate the Tecumseh literary institute;

A bill to incorporate the Genesee county literary institute; and

A preamble and joint resolution relative to storing the ordnance of the state, &c.

And also reported back, with sundry amendments in which the concurrence of the House was asked,

A bill to incorporate the president, directors, and company of the Peninsular bank.

On motion of Mr. Salyer,

The House adjourned.

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*Wednesday, February 7, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called and Messrs. Curtis, Flower, M. S. Gillet, Hammond, Hatch, Hawley, Hobart, Moran, Mosher, O'Malley, Tilden, J. W. Turner, and Waite were absent on leave.

On motion of Mr. Chittenden,

The action of the rule requiring the reading of the journal was suspended.

Mr. Chittenden presented the petition of Stephen Smith and others; of H. J. Spalding and others; of S. J. Sperry and others, and of John Mullett, A. T. Hall and others, asking an extension of the corporate limits of the city of Detroit; referred to the committee on banks and incorporations.

Mr. Allen presented the remonstrance of Frederick R. Reed and one hundred and two others, of the county of Clinton, against any division of said county; referred to the committee on the organization of townships and counties.

Mr. Ferguson presented the petition of the members and vestry of Trinity church, Marshall, for authority to sell certain real estate; referred to the committee on the judiciary.

Mr. Ferguson also presented the petition of J. French and others,

for aid in the construction of a line of telegraph from Jackson to Lansing; referred to the committee on ways and means.

Mr. Ferguson also presented the petition of J. N. Smith and one hundred and fifteen other citizens of Albion, for the passage of a law to prevent convict labor from competing with the labor of the mechanics of this state; referred to the committee on the state prison.

Mr. Burk presented the petition of C. F. Howe and others, of Berrien county, for an alteration of the laws relative to the sale of spirituous liquors; referred to the committee on state affairs.

Mr. Wright presented the petition of Edward Chase and forty others, for an appropriation of non-resident highway taxes on the White Lake road from Tyrone, in Livingston county, to Pontiac, in Oakland county; referred to the committee on roads and bridges.

Mr. Kilborn presented the petition of David Potter and others, for the appointment of commissioners to lay out a state road from Gidley's station, in the county of Jackson, to Lansing, and asking an appropriation thereon; referred to the committee on roads and bridges.

Mr. Cady presented the petition of Joshua Price and thirty-seven others, for the appointment of three commissioners to lay out a public road from the Wayne county line to Utica, in Macomb county; referred to the committee on roads and bridges.

Mr. Ingersoll presented the memorial of V. Hascall, of the Kalamazoo Gazette, and of George Torrey, of the Michigan Telegraph, relative to the state printing; referred to the committee on printing.

Mr. O. C. Comstock, from the committee on education, to whom was referred the bill to authorize the trustees of the Wesleyan seminary at Albion, to confer degrees, and for other purposes, reported the same back accompanied by a substitute therefor, entitled a bill to enlarge the powers of the trustees of the Wesleyan seminary, at Albion, which report was accepted and the committee discharged from the further consideration of the subject, and the substitute was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, reported a bill to authorize the assessor of the second ward in the city of Monroe to levy a certain tax, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, reported a bill to authorize Almeron Newman, James Newman, Peter M. Kind, Asa C. Davis and William Disbro, to build a dam across Grand river, in the county of Ionia, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, made the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on the judiciary, to whom was referred "a bill relative to the publication of laws and joint resolutions," have had the same under consideration and are of opinion that no further action is necessary in relation to the matter, inasmuch as the legislature have, by joint resolution, made the "Michigan State Journal" the state paper, and they therefore instruct me as their chairman to report the same back to the House without action, and ask to be discharged from the further consideration of the subject.

The bill relative to the publication of laws and joint resolutions, was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on the judiciary, to whom was referred the petition of W. Dansen and one hundred and ninety-four other citizens of Monroe, praying for the restoration of the garnishee law of 1845, &c., have had the same under consideration, and instruct me as their chairman to report the same back to the House without action, a bill in accordance with the prayer of the petition having been already presented.

Mr. Chittenden, from the committee on banks and incorporations, to whom were referred the Senate bill to incorporate the Ohio Trap Rock mining company, and

The Senate bill to incorporate the Siskowit mining company, Reported the same back without amendment, and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects; and the bills were referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on the judiciary, to whom was referred a bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846, have had the same under consideration and have instructed me to report: That, in the opinion of the committee, sections fifty, fifty-one, fifty-two and fifty-three contain provisions of an equitable character, well calculated to protect the just rights of persons claiming under, or in opposition to, a tax title. They thereupon report the same back with the recommendation that it do not pass. All which is respectfully submitted.

The bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846, was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Bowne, from the committee on elections, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on elections, to whom were referred certain papers of Evert B. Dyckman, claiming a seat in this House, report that they have given the subject a very full and thorough investigation, and have come to the conclusion that the facts, as found to exist upon examination of the subject, do not substantiate the claim set up, and therefore report adversely to the claim of said Dyckman, and ask to be discharged from the further consideration of the subject, and report the following resolution:

*Resolved*, That Marsh Giddings, a member of the House from the county of Kalamazoo, whose seat has been contested by Evert B. Dyckman, be, and he is hereby declared to be the rightful member and entitled to his seat.

And the foregoing resolution was adopted.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Parkhurst, from the same committee, reported that the bill to provide for the support of the poor in the county of Calhoun, and for other purposes, was correctly engrossed.

The following message was received from the Senate :

SENATE CHAMBER,  
Lansing, February 6, 1849. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to transmit the following entitled bills and joint resolutions, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848;

A bill to amend an act entitled an act to incorporate the Mt. Clemens and Romeo plank road company, approved April 3, 1848;

Joint resolutions relative to moneys advanced by the state of Michigan in behalf of the United States, and for other purposes; and

Joint resolution relative to the settlement of a claim of Cyrus Howard.

I am further instructed to inform you that the Senate have non-concurred in the amendment of the House to a bill to amend section one hundred and seven, chapter fifty-eight of the revised statutes, which bill is herewith transmitted.

I am further instructed to return herewith a bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked; also

A bill to provide for laying out a state road from Mason to Dexter, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked; and

Joint resolution relative to the claim of John W. Palmer, together with a substitute therefor, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

I am further instructed to return herewith a bill to repeal an act entitled an act to amend chapter twenty-seven of the revised statutes of 1846, relative to the erection, repairing and preservation of bridges, approved March 29, 1848, and to respectfully inform you that the Senate have non-concurred therein.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to amend an act entitled an act to incorporate the

New Baltimore and Romeo plank road company, approved April 3, 1848, and

The Senate bill to amend an act entitled an act to incorporate the Mt. Clemens and Romeo plank road company,

Were severally read twice and referred to the committee on banks and incorporations.

The Senate joint resolutions relative to moneys advanced by the state of Michigan in behalf the United States, and for other purposes, was read twice and referred to the committee on ways and means.

The Senate joint resolution relative to the settlement of a claim of Cyrus Howard, was read twice and referred to the committee on claims.

The bill to amend section one hundred and seven of chapter fifty-eight of the revised statutes, being before the House,

Mr. G. B. Turner moved that the House insist on its amendment thereto.

Mr. H. H. Comstock moved to amend the motion by striking out the word "insist" and inserting "adhere," which amendment was agreed to, and the motion, as amended, prevailed.

The bill authorizing Isaac N. Swain to erect and maintain a dam across the Paw Paw river, in Berrien county, being before the House, and the question being on concurring in the Senate amendment thereto,

On motion of Mr. H. H. Comstock,

The bill was laid on the table.

The bill to provide for laying out a state road from Mason to Dexter, was taken up, and

The question being on concurring in the Senate amendment thereto, it was non-concurred in.

The joint resolution relative to the claim of John W. Palmer, being under consideration, and the question being on concurring in the Senate substitute therefor,

On motion of Mr. Chamberlain,

The joint resolution and substitute were referred to the committee on claims.

Mr. Allen offered the following resolution:

*Resolved*, That from and after to-day, this House will meet at ten o'clock A. M.

Mr. G. B. Turner moved that the resolution be laid on the table, which motion was lost, and

The question recurring on the adoption of the resolution, it was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. Pennoyer,
Andrews,	Ferguson,	Salzer,
Belding,	Harger,	Smith,
Bowne,	Hartsuff,	St. Clair,
Burk,	Ingersoll,	Tuttle,
Chamberlain,	McNeil,	Wright,
Chittenden,	Parkhurst,	Speaker,
Coe,		

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## NAYS.

Mr. Bacon,	Mr. Earl,	Mr. McNair,
Buck,	Fox,	Moffatt,
Cady,	Giddings,	Mulhollen,
Campbell,	A. Gillet,	Stevens,
Coman,	Haight,	Stoddard,
H. H. Comstock,	Holmes,	G. B. Turner,
David,	Kilborn,	Turrill,
Dayton,	Lovell,	Wilkinson,
Deming,	Matthews,	

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On motion of Mr. Hartsuff,

The bill to provide for the removal of the state land office to the seat of government, was taken from the table, and

The question being on the amendment moved by Mr. Kilborn, on the twenty-fourth of January, it was withdrawn by the mover.

Mr. Ferguson moved that the bill be made the special order for Wednesday next, which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Andrews,	Mr. David,	Mr. Mulhollen,
Bacon,	Dayton,	Salzer,
Bowne,	Earl,	St. Clair,
Buck,	Ferguson,	Stevens,
Burk,	Giddings,	Stoddard,
Chamberlain,	A. Gillet,	G. B. Turner,
Coe,	Hartsuff,	J. W. Turner,
Coman,	Matthews,	Tuttle,
O. C. Comstock,	Moffat,	Speaker

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## NAYS.

Mr. Allen,  
Belding,  
Cady,  
Campbell,  
Chittenden,  
H. H. Comstock,  
Deming,  
Fox,

Mr. Haight,  
Harger,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
McNair,

Mr. McNeil,  
Parkhurst,  
Pennoyer,  
Smith,  
Turrill,  
Wilkinson,  
Wright,

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Mr. Giddings, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize James S. Pitts to convey real estate, which was read twice and referred to the committee on the judiciary.

Mr. Giddings, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in the county of Barry, which was read twice and referred to the committee on roads and bridges.

Mr. Cady, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb, which was read twice and referred to the committee on roads and bridges.

On motion of Mr. Chittenden,

*Resolved*, That Marshall Parker have leave to withdraw from the files of the House the papers relative to his claim.

On motion of Mr. Chittenden,

The committee of the whole were discharged from the further consideration of the bill to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, and from the bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, and these bills, together with the bill to incorporate the president, directors and company of the Peninsular bank, were re-committed to the committee on banks and incorporations.

Mr. Stevens, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter twenty-four of the revised statutes of 1846, which was read twice and referred to the committee on the judiciary.

Mr. Coe moved that the vote by which the following resolution



was made the special order for this afternoon be reconsidered, which motion prevailed, viz:

*Resolved*, That, in the opinion of this House, it requires two-thirds of all the members elected to pass any act of incorporation, to alter or change the same.

The question then recurring on the motion to make the resolution the special order, the motion was withdrawn by the mover.

Mr. H. H. Comstock then moved that the resolution be laid on the table, which motion prevailed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Earl,	Mr. Pennoyer,
Andrews,	Ferguson,	Salzer,
Bacon,	Fox,	Smith,
Belding,	A. Gillet,	St. Clair,
Bowne,	Haight,	Stevens,
Buck,	Harger,	Stoddard,
Chittenden,	Holmes,	G. B. Turner,
Coe,	Ingersoll,	J. W. Turner,
Coman,	Kilborn,	Turrill,
H. H. Comstock,	Lovell,	Tuttle,
O. C. Comstock,	Matthews,	Wright,
David,	Mulhollen,	Speaker,
Dayton,	Parkhurst,	

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## NAYS.

Mr. Cady,	Mr. Deming,	Mr. McNair,
Campbell,	Giddings,	McNeil,
Chamberlain,	Hartsuff,	Wilkinson,

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On motion of Mr. G. B. Turner,

*Resolved*, That the Attorney General be and he is hereby requested to communicate to this House, his opinion in writing, as to whether the constitution of this state requires the vote of two-thirds of all the members elect to each House to pass any act of incorporation.

Mr. Ingersoll gave notice that he would on some future day ask leave to introduce a bill to amend the revised statutes in relation to printing the reports of the state officers.

On motion of Mr. H. H. Comstock,

The bill to authorize the improvement of the Kalamazoo river, and for other purposes was taken from the table, and

The question being on the motion made by Mr. Coe, to amend section three by striking out the words "or the location of which is not recognized by the secretary of the treasury," the motion was withdrawn.

Mr. G. B. Turner moved that the bill be amended by adding thereto a new section, as follows:

"Sec. 7. Nothing contained in this act shall be so construed as to authorize the appropriation or selection of any lands in the lower peninsula, appropriated at the session of the legislature of the year 1848;"

Pending which,

Mr. Parkhurst moved that the bill be laid on the table, which motion was lost.

Mr. Parkhurst moved that the bill be made the special order for Friday next, which motion was decided in the negative.

On motion of Mr. Kilborn,

The bill was made the special order of the day for Wednesday next.

Mr. Pennoyer moved that the bill to provide for the location of the seat of justice in the county of Kent, be taken from the table, which motion prevailed, and

The question being on the amendments moved by Mr. Pennoyer on the fifth instant, they were withdrawn by the mover.

On motion of Mr. Smith,

The bill was amended by inserting the words "not residents of said county," after "persons," in the third line of section one, by inserting the words, "one half of" before "one" in the ninth line, and by inserting after the word "proceed" in the sixth line, the following: "and ascertain whether there is a legally established site for the seat of justice in said county; and, if so, whether in their judgment it is at such place as will most accommodate the wishes and interests of the inhabitants of said county, if not they shall."

The bill was then ordered to be engrossed and read the third time;

The bill for the support of the poor in the county of Calhoun, and for other purposes, was read the third time, when

Mr. Moffatt, by unanimous consent, moved to amend the third section by striking out the name of Randall P. Hobart, and inserting that of James M. Parsons.

The bill was then passed, and the question being on the title, the same was amended, in accordance with the report of the committee on the judiciary, so as to read "a bill to provide for the support of

the poor in the counties of Calhoun and Van Buren, and for other purposes."

On motion of Mr. David,

The House adjourned.

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*Thursday, February 8, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Curtis, Flower, Hawley, Hobart, Moran, Mosher, O'Malley and Tilden were absent on leave, and Messrs. Chittenden, Davis, Hammond, Pennoyer and St. Clair were absent without leave.

Mr. Stevens asked and obtained leave of absence for Mr. Chittenden till Tuesday next.

Mr. Parkhurst for Messrs. Davis and Pennoyer for an indefinite period.

Mr. Turrill for Mr. St. Clair, for an indefinite time.

Mr. Moffatt for Mr. Hammond, as above.

On motion of Mr. Chamberlain,

The action of the rule requiring the reading of the journal was suspended.

Mr. H. H. Comstock presented the petition of Johnson Parsons and others, of the township of Manlius, for the organization of town four north, of range fifteen west, into a new township by the name of Fillmore; referred to the committee on the organization of townships and counties.

Mr. Burk presented the petition of C. F. Howe and others, of Berrien county, for an alteration in the tax laws; referred to the committee on ways and means.

Mr. Ferguson presented the petition of O. C. Comstock, jr., and seventy-seven others, and of Joseph Landon and thirty-three others, for the incorporation of a company to construct a railroad from Marshall, by the way of Union City, to Constantine, in St. Joseph county; referred to the committee on banks and incorporations.

Mr. Coman presented the petition of Charles Clark and others, of the township of Woodbridge, in Hillsdale county, for authority to raise

a special tax to be appropriated on a certain road in said county; referred to the committee on roads and bridges.

Mr. Lovell presented the petition of Henry Stone and fifteen others, for the appointment of a committee to investigate the conduct of the commissioners of the canal and locks around the rapids of Grand river; and also

The petition of N. G. Chase and seventy-one others, for the passage of a law authorizing the enlargement of the locks of the canal around the rapids of Grand river, and to remove the commissioners appointed to superintend the building of said locks; and also

The petition of Henry H. Wilder and forty-seven others, for an amendment to the several acts relating to the canal and locks around the Rapids of Grand river, and for the removal of the commissioners appointed to take charge of the construction thereof; which several petitions were referred to the committee on internal improvement.

Mr. Lovell also presented the petition of Minor Y. Beckwith, for the passage of a law authorizing him to sell certain real estate; referred to the committee on the judiciary.

Mr. Matthews presented the petition of citizens of Ottawa county, for the organization of a new township; referred to the committee on the organization of townships and counties.

Mr. Buck presented the petition of A. Douglass and thirty other citizens of St. Joseph county, for an extension of the time of payment from the Southern railroad company to the state; referred to the committee on ways and means.

Mr. Smith presented the petition of twenty-five citizens of Kent county, for the organization of town five north of range west, into a new township by the name of Lodi; referred to the committee on the organization of townships and counties.

Mr. J. W. Turner presented the petition of Wm. Baker, jr. and thirty-three others, for an extension of the time of payment from the Southern railroad company to the state; referred to the committee on ways and means.

Mr. J. W. Turner also presented the petition of citizens of the county of Lenawee, for the repeal of the law providing for the draining of swamps, marshes and other low lands; referred to the committee on state affairs.

Mr. Wright presented the petition of George Robinson, special

commissioner on the Pontiac and Grand river road, for compensation for services; referred to the committee on claims.

Mr. Morton presented the petition of Joseph Fix and sixty-six others, of the township of Ash and Frenchtown, and of F. Johnson, and sixty-nine others, of the city of Monroe, for an alteration in the boundaries of said townships of Ash and Frenchtown; referred to the committee on the organization of townships and counties.

Mr. Morton presented the petition of W. H. Zabriskie and fifty-two others, of Dundee; of S. A. Eaton and thirty-two others, of, Lenawee county, and of C. G. Crego and others, of Summerfield, for an extension of time of payment from the Southern railroad company to the state; which petitions were, on his motion, referred to the committee on banks and incorporations.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to provide for the location of the seat of justice in the county of Kent, was correctly engrossed.

Mr. G. B. Turner, from the committee on claims, made the following reports, which were accepted, and the committee discharged from the further consideration of the subjects, viz:

The committee on claims, to whom was referred the claim of Peter Morey, for services as solicitor in chancery while holding the office of Attorney General and asking a reference of said claim to the board of state auditors, are of opinion that no such reference should be had and that the claim should not be allowed, and ask to be discharged from the further consideration of the subject.

The committee on claims, to whom was referred the claim of Peter Morey, for services as judge advocate general of the Michigan militia, have had the same under consideration, and a majority of your committee report adverse to its allowance and ask to be discharged.

Mr. G. B. Turner, from the same committee, to whom were referred sundry claims of James McGrath and Nicholas Greusel, growing out of the enlisting, transporting, subsisting and mustering the volunteer regiment called from this state to serve in the war with Mexico, reported the same back, together with a joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment, called to serve in the late war with Mexico, which was read

twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. G. B. Turner, from the same committee, to whom was referred the Senate joint resolution relative to the settlement of a claim of Cyrus Howard, reported the same back without amendment, and recommended that it do not pass, which report was accepted and the committee discharged from the further consideration of the subject, and

The joint resolution was referred to the committee of the whole and placed on the general order.

Mr. G. B. Turner, from the same committee, to whom was referred the joint resolution relative to the claim of John W. Palmer, together with the Senate substitute therefor, reported the same back with an amendment to the substitute, and recommended that the House concur in the substitute as amended, which report was accepted and the committee discharged from the further consideration of the subject.

The amendment reported by the committee was concurred in, and the Senate substitute as amended was concurred in by the House.

Mr. O. C. Comstock, from the committee on education, to whom was referred the Senate bill to enlarge the powers of the district board of school district number one, in the township of Jackson, Jackson county, reported the same back without amendment, and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on ways and means, to whom was referred the Senate bill to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland, reported the same back without amendment, and asked to be discharged from its further consideration, which report was accepted and the committee discharged, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, reported a bill to authorize the wardens and vestry of the Trinity church, in Marshall, to convey certain real estate, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations,

reported a bill to enlarge the corporate limits of the city of Detroit, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom was referred the Senate bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848, and

The Senate bill to amend an act entitled an act to incorporate the Mt. Clemens and Romeo plank road company, approved April 3, 1848,

Reported the same back without amendment, and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bills were referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, February 7, 1849.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate; and

A bill to incorporate the New Buffalo and Laporte plank road company.

I am further instructed to transmit herewith the following entitled bill, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to amend an act entitled an act to incorporate the Flint and Saginaw navigation company.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The bill to incorporate the New Buffalo and Laporte plank road company; and

The bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate,

Were ordered to be enrolled.

The Senate bill to amend an act entitled an act to incorporate the

Flint and Saginaw navigation company, was read twice and referred to the committee on banks and incorporations.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer, in the county of Lapeer; and

A bill for the improvement of the road leading from Hillman's, in the township of Tyrone, and county of Livingston, to Pontiac, in the county of Oakland,

Which were severally read twice, and referred to the committee on roads and bridges.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb, which was read twice and referred to the committee on state affairs.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the revised statutes in relation to printing the annual reports of the state officers, which was read twice and referred to the committee on printing.

Mr. Fox, pursuant to previous notice, asked and obtained leave to introduce a bill to define and amend the eight subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Deming,

The committee of the whole were discharged from the further consideration of the bill to authorize the supervisor of the township of Fairfield, in the county of Lenawee, to renew the warrant for the collection of the taxes in said township, and the bill was taken up for consideration.

On motion of Mr. Coe,

The following section was added to the bill, to stand as section three:

"Sec. 3. A transcript of all unpaid taxes returned to the county treasurer in pursuance of the foregoing provisions, shall be returned to the Auditor General as soon as practicable, and such unpaid taxes shall be collected in the same manner, and with interest computed from the same time, as other taxes for the year 1848, duly returned to the Auditor General for non-payment."



The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. O. C. Comstock offered the following concurrent resolution, which under the rule, was laid on the table, viz:

*Resolved*, (the Senate concurring) That the committees on the state prison in the House of Representatives and Senate be, and they are hereby authorized to appoint a sub-committee, to consist of one Senator and two Representatives, to visit the state prison at Jackson, and make a report of the condition thereof.

On motion of Mr. Lovell,

The bill to authorize Norman A. Harrington, of Ingham, to convey certain real estate, was taken from the table, and

The question being on ordering it to be engrossed and read the third time, it was decided in the affirmative.

Mr. Hartsuff gave notice that he would on some future day ask leave to introduce a bill to amend sections eighty-six and eighty-seven of chapter fifty-eight of the revised statutes of 1846.

Mr. Parkhurst gave notice that he would on some future day ask leave to introduce a bill to legalize the plats of the villages of Orion and New Canandaigua, in the township of Orion.

Mr. Chamberlain pursuant to previous notice, asked and obtained leave to introduce a bill appropriating certain internal improvement lands, for the purpose of constructing certain roads and bridges in the county of Berrien, which was read twice and referred to the committee on internal improvement.

The bill to provide for the location of the seat of justice in the county of Kent, and

The bill to authorize the supervisor of the township of Fairfield, in the county of Lenawee, to renew the warrant for the collection of taxes in said township,

Were severally read the third time and passed.

The House having arrived at the order of unfinished business, took up the following entitled bills and joint resolution, and they were severally ordered to be read the third time, viz:

A bill to incorporate the Tecumseh literary institute;

A bill to incorporate the Genesee county literary institute; and

A preamble and joint resolution relative to storing the ordnance of the state.

The House then resolved itself into committee of the whole on the general order, Mr. O. C. Comstock in the chair.

And after spending some time thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta;

A bill to authorize the arrest and removal of fugitives from justice;

A bill to amend an act entitled an act to amend the revised statutes of 1846, approved March 17, 1847;

A bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company; and

A bill to repeal section twelve of an act to amend the revised statutes of 1846.

The committee also reported that they had had under consideration a bill to authorize proceedings against garnishees, and for other purposes, on which they had made some progress, and asked leave to sit again thereon, which leave was granted.

On motion of Mr. Salyer,

The House adjourned.

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*Friday, February 9, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Chittenden, Curtis, Davis, Flower, Hammond, Hobart, Moran, Mosher, O'Malley, Pennoyer, St. Clair and Tilden were absent on leave, and Messrs. H. H. Comstock and Morton were absent without leave.

Mr. Mulhollen asked and obtained leave of absence for Mr. Morton for the day.

On motion of Mr. Bowne,

The action of the rule requiring the reading of the journal was suspended.

Mr. M. S. Gillett presented the petition of H. M. Monson and forty-five others, to change the place of the dividing line between the townships of China and St. Clair, also,

The petition of William Smith and eighty-nine others, for an amendment of the act to organize the county of Sanilac; and also,

The remonstrance of George Oles and others, against the repeal of the act establishing the county of Sanilac;

Which petitions and remonstrance were referred to the committee on the organization of townships and counties.

Mr. Andrews presented the petition of Loren Darling and others, for the passage of an act to incorporate the Decatur, Lawrence and Breedsville plank road company; referred to the committee on banks and incorporations.

Mr. Smith presented the petition of Chauncey Parker and seventy others, asking for an appropriation of internal improvement lands to improve the navigation of Rouge river, in the county of Kent; referred to the committee on internal improvement.

Mr. G. B. Turner, from the committee on claims, to whom was referred the petition of George Robinson, special commissioner on the Pontiac and Grand river state road, for compensation for services on said road, reported the same back, and reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Stevens, from the committee on the state library, to whom was referred the Senate joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville, reported the same back with sundry amendments and recommended its passage, which report was accepted, and the committee discharged from the further consideration of the subject, and

The joint resolution and amendments were referred to the committee of the whole and placed on the general order.

Mr. Bacon, from the committee on ways and means, to whom were referred sundry petitions asking aid for the construction of a line of electric telegraph from Jackson to Lansing, reported the same back, and reported adverse to the prayer of the petitions, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the Senate bill relative to the discharge of judgments and decrees, and for other purposes, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, submitted the following reports, which were accepted, and the committee discharged from the further consideration of the subjects, viz:

The committee on the judiciary to whom was referred the petition of Minor Y. Beckwith, praying for authority to sell certain real estate, have had the same under consideration, and instruct me as their chairman to report that in the opinion of the committee, the legislature have not the power to grant the prayer of the petition, inasmuch as it appears from the petition that the wife of the petitioner died seized of the land in question, leaving children which still survive, and who have an estate in said lands as heirs of their mother.

The committee therefore report adverse to the prayer of the petitioner, and asked to be discharged from the further consideration of the subject.

The committee on the judiciary, to whom was referred the petition of G. S. Wilson and five others, praying for a repeal of the usury laws, have had the same under consideration, and instruct me as their chairman, to report adverse to the prayer of the petition, and ask to be discharged from the further consideration of the subject.

Mr. Ferguson, from the same committee, reported a bill to amend section thirteen of chapter sixty-six of the revised statutes, which was read twice, ordered to be printed; referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the Senate bill repealing section eight, and amending section one of chapter one hundred and fourteen of the revised statutes, reported the same back without amendment, and recommended that it do not pass, which report was accepted, and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom were referred the following entitled bills, reported the same back without amendment and reported adverse to their passage, which report was accepted and the committee discharged from the further consideration of the subject, viz:

A bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846;

A bill to amend chapter twenty-four of the revised statutes of 1846; and

A bill to authorize James S. Pitts to convey real estate.

Which bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following bill was correctly enrolled and was this day presented to the Governor for his approval, viz:

A bill to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate.

Mr. Parkhurst, from the same committee, also reported as correctly engrossed,

A bill to authorize Norman A. Harrington, of the county of Ingham, to convey certain real estate.

Mr. Deming, from the committee on roads and bridges, reported the following bills, which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order, viz:

A bill to improve the Grand river state road; and

A bill to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county.

Mr. Deming, from the same committee, to whom were referred the Senate bill to authorize a re-location of the Northern wagon road between the villages of Flint and Corunna, and

The Senate bill to authorize Townsend North to build a dam across Grand river,

Reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects, and

The bills were referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom was referred the bill to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in the county of Barry, and

The bill for laying out and establishing a certain state road in the counties of Oakland and Genesee,

Reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects, and

The bills were referred to the committee of the whole, placed on the general order and ordered to be printed.

Mr. Coe, from the committee on the judiciary, reported a bill to repeal an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and for other purposes, which was read twice and ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom had been recommitted the bill to continue for a limited time the charter of the Farmers' and Mechanics' bank, reported the same back with sundry amendments, and asked to be discharged from its further consideration, which report was accepted, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, to whom were referred sundry petitions of citizens of Ionia county, in relation to the construction of the canal and locks around the rapids of Grand river, reported the same back and reported adverse to the prayer of the petitions, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Ingersoll, from the select committee, to whom was referred a communication from the Auditor General, transmitting copies of certain vouchers on which warrants were drawn by Charles G. Hammond, while Auditor General, in favor of said Hammond, submitted a written report, accompanied by a joint resolution, which report was read, accepted, and the committee discharged.

On motion of Mr. Chamberlain,

The report was laid on the table and ordered to be printed.

The joint resolution instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury, was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE,  
Lansing, February 9, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act entitled an act to incorporate the Monroe and Saline plank road company.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 8, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a joint resolution directing the publication of a statement of lands to be sold in the county of Ionia, for 1849, and to respectfully inform you that the Senate have concurred therein.

I am further instructed to transmit the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, and

A bill authorizing the erection of a dam across Flat river.

I am further instructed to inform you that the Senate have receded from their amendment to a bill to provide for laying out a state road from Mason to Dexter; which bill is herewith transmitted.

I am further instructed to inform you that the Senate insist upon the disagreement of the two Houses on a bill to amend section one hundred and seven, chapter fifty-eight of the revised statutes, and that Senators Dort, Isbell and McKinney have been appointed a committee of conference on the part of the Senate on the disagreement between the two Houses on said bill.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to provide for laying out a state road from Mason to Dexter, and

The joint resolution directing the publication of a statement of lands to be sold in the county of Ionia, for 1849.

Were ordered to be enrolled.

The Senate bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, was read twice and referred to the committee on banks and incorporations.

The Senate bill authorizing the erection of a dam across Flat river, was read twice and referred to the committee on roads and bridges.

On motion of Mr. Hawley,

The joint resolution proposing an amendment to the constitution relative to certain public officers, was taken from the table, and

The question being on its passage, it was passed by the following vote, two-thirds of all the members elected to the House voting in the affirmative:

## YEAS.

Mr. Allen,	Mr. Earl,	Mr. McNeil,
Andrews,	Ferguson,	Moffatt,
Bacon,	Fox,	Mulhollen,
Belding,	A. Gillet,	Parkhurst,
Bowne,	M. S. Gillett,	Salzer,
Buck,	Haight,	Smith,
Cady,	Harger,	Stevens,
Campbell,	Hartsuff,	Stoddard,
Chamberlain,	Hatch,	G. B. Turner,
Coe,	Hawley,	J. W. Turner,
Coman,	Holmes,	Turrill,
H. H. Comstock,	Kilborn,	Tuttle,
O. C. Comstock,	Lockwood,	Waite,
David,	Lovell,	Wilkinson,
Dayton,	Matthews,	Wright,
Deming,	McNair,	Speaker,

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## NAYS.

0

On motion of Mr. O. C. Comstock,

The concurrent resolution authorizing the appointment of a joint committee to visit the state prison, was taken from the table.

Mr. G. B. Turner moved that the resolution be amended by striking out the word "two," in the fifth line, and inserting "three," which motion was lost.

The concurrent resolution was then adopted.

Mr. Andrews gave notice that on some future day he will ask leave to introduce a joint resolution.

Mr. Belding offered the following resolution, which was not adopted, viz:

*Resolved*, That from and after the passage of this resolution, the vote on the final passage of all bills shall be taken by yeas and nays, and recorded in the journal.



Mr. Wright offered the following resolution:

*Resolved*, That when this House adjourns it will adjourn to meet each day hereafter at ten o'clock A. M., until otherwise ordered.

On motion of Mr. Ingersoll,

The resolution was laid on the table.

Mr. Chamberlain offered the following resolution:

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of repealing so much of an act entitled an act for the purpose of paying the officers and members of the legislature of 1849, as allows the Speaker six dollars per day.

On motion of Mr. J. W. Turner,

The resolution was laid on the table.

Mr. J. W. Turner gave notice that he would on some future day ask leave to introduce a joint resolution rescinding the joint resolution to encourage immigration, approved February 1, 1848.

The bill to authorize Norman A. Harrington, of the county of Ingham, to convey certain real estate, and

The preamble and joint resolution relative to storing the ordnance the state,

Were severally read the third time and passed.

The bill to incorporate the Tecumseh literary institute was read the third time, and the question being on its passage, the following was the vote thereon:

#### YEAS.

Mr. Allen,	Mr. Fox,	Mr. McNeil,
Andrews,	Ferguson,	Moffatt,
Bacon,	A. Gillet,	Mulhollen,
Buck,	M. S. Gillett,	Parkhurst,
Burk,	Haight,	Salyer,
Cady,	Harger,	Smith,
Chamberlain,	Hartsuff,	Stevens,
Coe,	Hatch,	Stoddard,
Coman,	Hawley,	J. W. Turner,
O. C. Comstock,	Kilborn,	Turrill,
David,	Lockwood,	Tuttle,
Dayton,	Lovell,	Wright,
Deming,	Matthews,	Speaker,
Earl,	McNair,	

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#### NAYS.

Mr. Belding,	Mr. H. H. Comstock,	Mr. Waite,
Campbell,	Holmes,	Wilkinson,

6

Two-thirds of all the members not voting in the affirmative, the Speaker declared the bill lost.

Mr. Coe appealed from that decision.

Mr. Coe then moved that the appeal be laid upon the table, which motion prevailed, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Fox,	Mr. Lovell,
Belding,	A. Gillet,	Matthews,
Buck,	M. S. Gillett,	McNeil,
Cady,	Haight,	Mulhollen,
Campbell,	Harger,	Parkhurst,
Coe,	Hartsuff,	Salyer,
O. C. Comstock,	Hatch,	Stoddard,
Dayton,	Holmes,	J. W. Turner,
Earl,	Kilborn,	Turrill,
Ferguson,	Lockwood,	Speaker, 30

## NAYS.

Mr. Allen,	Mr. David,	Mr. Stevens,
Bacon,	Deming,	G. B. Turner,
Bowne,	Hawley,	Tuttle,
Burk,	McNair,	Waite,
Chamberlain,	Moffatt,	Wilkinson,
Coman,	Smith,	Wright,
H. H. Comstock,		19

The bill to incorporate the Genesee county literary institute, was read the third time, and

On motion of Mr. Andrews,

Laid on the table.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, February 9, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bill, which the Senate have passed, and in which the concurrence of the House is asked, viz:

A bill to authorize the supervisor of the township of Bridgeport, in the county of Saginaw, to renew the warrant for the collection of taxes in said township.

I am further instructed to inform you that the Senate have concurred in a bill to authorize the supervisor of the township of Fairfield,

in the county of Lenawee, to renew the warrant for the collection of taxes in said township; which bill is herewith returned.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to authorize the supervisor of the township of Fairfield, in the county of Lenawee, to renew the warrant for the collection of the taxes in said township, was ordered to be enrolled.

The Senate bill to authorize the supervisor of the township of Bridgeport, in the county of Saginaw, to renew the warrant for the collection of taxes in said township, was read twice, when

On motion of Mr. Parkhurst,

The rules were suspended, and the bill was taken up for consideration.

On motion of Mr. Coe,

The following section was added to the bill to stand as section three:

"Sec. 3. A transcript of all unpaid taxes returned to the county treasurer in pursuance of the foregoing provisions, shall be returned to the Auditor General as soon as practicable, and such unpaid taxes shall be collected in the same manner, and with interest computed from the same time, as other taxes for the year 1848, duly returned to the Auditor General for non-payment."

The bill was then ordered to be read the third time, was so read and was passed.

The House having arrived at the order of unfinished business took up the bill to authorize the arrest and removal of fugitives from justice, and

On motion of Mr. J. W. Turner,

Its further consideration was indefinitely postponed.

Mr. Coe moved that the vote of indefinite postponement be reconsidered, which motion prevailed, and

The question recurring on the motion to indefinitely postpone,

Mr. G. B. Turner moved that the motion be laid on the table, which was agreed to.

The following entitled bills were then severally taken up and ordered to be engrossed and read the third time, viz:

A bill to amend an act entitled an act to amend the revised statutes of 1846, approved March 17, 1847;

A bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company;

A bill to repeal section twelve of an act to amend the revised statutes of 1846, approved April 3, 1848; and

A bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta.

The House resolved itself into a committee of the whole on the bill to authorize proceedings against garnishees, and for other purposes, Mr. O. C. Comstock in the chair, and after spending some time thereon, the committee rose and by their chairman reported the same back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Chamberlain,

The House adjourned.

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*Saturday, February 10, 1849.*

The House met pursuant to adjournment, and in the absence of the Speaker, was called to order by Mr. O. C. Comstock.

Prayer by the Chaplain.

The roll was called, and Messrs. Chittenden, Curtis, Davis, Flower, Hammond, Mosher, Pennoyer and St. Clair, were absent on leave, and Messrs. H. H. Comstock, Hartsuff, Hobart, and O'Malley were absent without leave.

Mr. Lockwood asked and obtained leave of absence for Mr. Hartsuff till Tuesday next.

Mr. Moran for Mr. O'Malley, for the same time.

Mr. Parkhurst for Mr. H. H. Comstock, for the day.

Mr. Tilden for Mr. Morton, for an indefinite period.

Mr. Moffatt for Mr. Hobart, as above.

Mr. Bacon moved a suspension of the rule requiring the reading of the journal, which motion prevailed.

Mr. Hawley presented the petition and papers of Alexander Titchworth, relating to his claim; referred to the committee on claims.

Mr. M. S. Gillett presented the remonstrance of Isaac Leaty and one hundred others, and of W. Hubbard and one hundred and two others, against the disorganization of the county of Sanilac; referred to the committee on the organization of townships and counties.

Mr. Burk presented the petition of George H. Murdock and fifty-six others, of the village of Berrien, for the vacating of a portion of the plat of said village; referred to the committee on the judiciary.

Mr. Dayton presented the petition of George Crocker, and ninety other citizens of Flint, Genesee county, relative to the appropriations on the Northern wagon road; laid on the table.

Mr. A. Gillet presented the petition of Ruel Ambrose and others, of the village of Sharon, for the vacating of the plat of said village; referred to the committee on the judiciary.

Mr. Tilden presented the petition of John L. Babcock and twenty-eight others, for the passage of a law to prohibit the sale of wine or spirituous liquors as a beverage; referred to the committee on state affairs.

Mr. Parkhurst presented the claim of David Swan for the payment of services rendered in enlisting the volunteer regiment; referred to the committee on claims.

Mr. Bacon, from the committee on ways and means, to whom was referred the Senate bill to amend an act entitled an act to authorize the sale of the Southern railroad, and to incorporate the Michigan southern railroad company, reported the same back without amendment and asked to be discharged from its further consideration, which report was accepted and the committee discharged; and

On motion of Mr. Coe,

The bill was laid on the table and ordered to be printed,

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bill and joint resolution were correctly enrolled, and were this day presented to the Executive for his approval, viz:

A bill to authorize the supervisor of the township of Fairfield, in the county of Lenawee, to renew the warrant for the collection of the taxes in said township; and

A joint resolution directing the publication of a statement of lands to be sold in the county of Ionia, for 1849,

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly engrossed, viz:

A bill to amend an act entitled an act to amend the revised statutes of 1846, approved March 17, 1847;

A bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company;

A bill to repeal section twelve of an act to amend the revised statutes of 1846, approved April 3, 1848; and

A bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta.

Mr. Deming, from the committee on roads and bridges, to whom was referred the Senate bill authorizing the erection of a dam across Flat river, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases, approved March 25, 1848, and a bill to define and amend the eighth subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846, reported the same back with sundry amendments, and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects, and

The bills were ordered to be printed as amended, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom were referred the Senate bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, and

The Senate bill to amend an act entitled an act to incorporate the Flint and Saginaw navigation company,

Reported the same back without amendment, and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bills were referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, reported a bill to repeal an act entitled an act to prevent the circulation of foreign notes, and

A joint resolution rescinding a joint resolution to encourage emigration, approved February 1, 1849,

Which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Smith, from the committee on agriculture and manufactures,

to whom was referred the bill to repeal an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, reported the same back without amendment and recommended its passage, which report was accepted, and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, February 10, 1849.*

*To the Speaker of the House of Representatives:*

Sir:—I am instructed to transmit herewith, preamble and joint resolutions relative to Moore & Hascall's harvesting machine, which the Senate have passed and in which the concurrence of the House is respectfully asked.

I am further instructed to return a bill to amend section seven of chapter one hundred and forty-one of the revised statutes, relative to the punishment of fraudulent debtors, and to respectfully inform you that the Senate have concurred therein; also

A bill to amend chapter one hundred and fifty-five of the revised statutes, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked.

I am further instructed to respectfully inform you that the Senate have non-concurred in the amendment of the House to the Senate substitute for House joint resolution relative to the claim of John W. Palmer, which joint resolution and substitute are herewith transmitted.

Respectfully, &c.,  
W. L. BANCROFT,  
*Secretary of the Senate.*

The bill to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors, was ordered to be enrolled.

The Senate preamble and joint resolutions relative to Moore & Hascall's harvesting machine, was read twice and referred to the committee on agriculture and manufactures.

The Senate amendment to the bill to amend chapter one hundred and fifty-five of the revised statutes in relation to forgery and coun-

terfeiting, was concurred in, and the bill as amended was ordered to be enrolled.

On motion of Mr. G. B. Turner,

The House insisted on its amendment to the Senate substitute for the joint resolution relative to the claim of John W. Palmer.

Mr. G. B. Turner moved that the committee of the whole be discharged from the further consideration of the joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico, which motion prevailed, and

The joint resolution was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Belding,

The bill to incorporate the Tecumseh literary institute was taken from the table, when he moved that the vote by which the bill was yesterday lost on its passage be reconsidered, which motion prevailed.

The question recurring on the passage of the bill, it was passed, by yeas and nays, as follows, two-thirds of the whole House voting in the affirmative:

#### YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Moran,
Andrews,	A. Gillet,	Mulhollen,
Bacon,	M. S. Gillett,	Parkhurst,
Bowne,	Haight,	Salzer,
Buck,	Harger,	Smith,
Cady,	Hatch,	Stevens,
Campbell,	Hawley,	Stoddard,
Chamberlain,	Ingersoll,	Tilden,
Coman,	Kilborn,	G. B. Turner,
O. C. Comstock,	Lockwood,	J. W. Turner,
David,	Lovell,	Turrill,
Dayton,	Matthews,	Tuttle,
Deming,	McNair,	Waite,
Earl,	McNeil,	Wright,
Fox,	Moffatt,	

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#### NAYS.

Mr. Holmes,	Mr. Wilkinson,	2
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On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further con-



sideration of the bill to extend the time for the collection of taxes in the township of Pontiac, in the county of Oakland, and

The bill was ordered to be read the third time, was so read, and passed.

The following entitled bills and joint resolution were severally read the third time and passed, viz:

A bill to amend an act entitled an act to amend the revised statutes of 1846, approved March 17, 1847;

A bill to repeal section twelve of an act to amend the revised statutes of 1846, approved April 3, 1848;

A bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta; and

A joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico.

The bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company, was read the third time and passed by yeas and nays, as follows, two-thirds of the whole House voting in the affirmative:

## YEAS.

Mr. Allen,	Mr. Fox,	Mr. Moffatt,
Andrews,	Giddings,	Moran,
Bacon,	M. S. Gillett,	Mulhollen,
Bowne,	Haight,	Parkhurst,
Buck,	Harger,	Salver,
Burk,	Hatch,	Smith,
Cady,	Hawley,	Stevens,
Campbell,	Holmes,	Stoddard,
Chamberlain,	Ingersoll,	Tilden,
Coe,	Kilborn,	J. W. Turner,
Coman,	Lockwood,	Turrill,
O. C. Comstock,	Lovell,	Tuttle,
Dayton,	Matthews,	Waite,
Deming,	McNair,	Wright,
Earl,	McNeil,	44

## NAYS.

Mr. G. B. Turner,	Mr. Wilkinson,	2
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On motion of Mr. Kilborn,

The rules were suspended to enable him to move that the committee of the whole be discharged from the further consideration of the

bill to authorize a re-location of the northern wagon-road between the villages of Flint and Corunna, which motion prevailed, and

On motion of Mr. Giddings,

The bill was laid on the table and ordered to be printed.

The House having arrived at the order of unfinished business, took up the bill to authorize proceedings against garnishees, and for other purposes, and

On motion of Mr. Coe,

The bill was recommitted to the committee on the judiciary.

The House then resolved itself into committee of the whole on the general order, Mr. G. B. Turner in the chair, and after spending some time thereon, the committee rose and by their chairman reported back to the House without amendment, a bill to amend the charter of the village of Adrian, and to limit the amount of taxes to be raised in said village in one year, and

Also reported back with amendments in which the concurrence or the House was asked,

A bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of range fourteen east, known as salt spring lands belonging to the state;

On motion of Mr. Giddings,

The House adjourned.

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*Monday, February 12, 1849.*

The House met pursuant to adjournment, and was called to order by Mr. O. C. Comstock, in the absence of the Speaker.

Prayer by the Chaplain.

The roll was called and Messrs. Chittenden, Davis, Flower, Hammond, Hartsuff, Hobart, Morton, Mosher, O'Malley, Pennoyer and St. Clair were absent on leave, and Messrs. Allen, Kilborn and G. B. Turner were absent without leave.

Mr. Bacon asked and obtained leave of absence for Mr. G. B. Turner for an indefinite period.

Mr. Wilkinson for Mr. Kilborn, for the day.

Mr. J. W. Turner, by unanimous consent, offered the following resolution, which was adopted:

*Resolved*, That this House do now proceed to elect a Speaker *pro tem.*, during the absence of Hon. Leander Chapman.

Accordingly, the House proceeded to the election of a Speaker *pro tem.*, with the following result:

## FOR OLIVER C. COMSTOCK:

Mr. Andrews,	Mr. David,	Mr. McNeil,	
Bacon,	Deming,	Moran,	
Belding,	Ferguson,	Parkhurst,	
Bowne,	Fox,	Smith,	
Burk,	Harger,	Stevens,	
Cady,	Hatch,	Stoddard,	
Campbell,	Hawley,	Tilden,	
Chamberlain,	Ingersoll,	Tuttle,	
Coman,	Lockwood,	Wright,	
Curtis,	McNair,		29

## FOR GEORGE A. COE:

Mr. Buck,	Mr. M. S. Gillett,	Mr. Moffat,	
Earl,	Haight,	Turrill,	
Giddings,	Holmes,	Waite,	
A. Gillet,	Lovell,		11

## FOR CYRUS LOVELL:

Mr. Coe,		1
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## FOR JOHN W. TURNER:

Mr. H. H. Comstock,	Mr. Matthews,	2
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## FOR SEELEY HARGER:

Mr. Salyer,		1
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## FOR H. H. COMSTOCK:

Mr. J. W. Turner,		1
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## FOR FENNER FERGUSON:

Mr. Wilkinson,		1
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## RECAPITULATION OF THE VOTE FOR SPEAKER PRO TEMPORE.

Oliver C. Comstock received	29 votes.
George A. Coe	11 "
John W. Turner	2 "
Horace H. Comstock	1 "
Fenner Ferguson	1 "
Cyrus Lovell	1 "
And Seeley Harger	1 "

Mr. Oliver C. Comstock having received a majority of all the votes, was declared duly elected Speaker *pro tempore*.

On motion of Mr. Bowne,

The rule requiring the reading of the journal, was suspended..

Mr. Tilden presented the petition of Sylvester R. Hathaway and forty-nine others, voters of the township of Whiteford, asking certain alterations in the charter of the Cottonwood swamp turnpike company, and to authorize the said township to subscribe for stock in said company; referred to the committee on banks and incorporations.

Mr. Bacon presented the petition of C. H. Nicholson and forty-eight others, for the passage of a law to prohibit the sale of wine or spirituous liquors; referred to the committee on state affairs.

Mr. H. H. Comstock presented the petition of Elisha Belcher and sixty-four others, for an appropriation to improve the navigation of the Kalamazoo river; referred to the committee on internal improvement.

Mr. Wilkinson presented the claim of Captain Daniel Hicks; referred to the committee on claims.

Mr. Hawley presented the petition of Lucius Lyon and others, against the re-enactment of the law providing for capital punishment; referred to the committee on the judiciary.

Mr. Hawley also presented the memorial of Minot T. Lane and others, on the same subject, which he read, when

Mr. Chamberlain moved that the memorial be laid on the table and printed.

Mr. H. H. Comstock moved that the motion be amended by inserting after "memorial" the words "and the memorial of the grand jury of Wayne county on the same subject."

Mr. Fox moved the previous question, which was demanded by a majority, and

The main question was ordered to be now put.

The question then being on the amendment moved by Mr. H. H. Comstock,

It was rejected.

The question then recurring on the motion to lay the memorial on the table and print it,

A division was called for, and it was first taken on laying on the table, and decided in the negative.

The question, on ordering the memorial to be printed, was taken and decided in the negative, by the following vote:

## YEAS.

Mr. Belding,	Mr. Earl,	Mr. Lockwood,	
Buck,	Harger,	Lovell,	
Burk,	Hatch,	Moran,	
Chamberlain,	Hawley,	Parkhurst,	
Coe,	Ingersoll,	Waite,	15

## NAYS.

Mr. Andrews,	Mr. Fox,	Mr. Salver,	
Bacon,	Ferguson,	Smith,	
Bowne,	Giddings,	Stevens,	
Cady,	M. S. Gillett,	Stoddard,	
Campbell,	Haight,	Tilden,	
Coman,	Holmes,	J. W. Turner,	
Curtis,	Matthews,	Turrill,	
H. H. Comstock,	McNair,	Tuttle,	
David,	McNeil,	Wilkinson,	
Dayton,	Moffatt,	Wright,	
Deming,	Mulhollen,	Speaker, <i>pro tem.</i>	33

On motion of Mr. Hawley,

The memorial was referred to the committee on the judiciary.

Mr. Tuttle, from the committee on claims, reported a joint resolution relative to the claim of John M. Van Aikin, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Deming, from the committee on roads and bridges, reported a bill appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton,

Which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Andrews, from the committee on state affairs, to whom was referred the joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb, reported the same back with an amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The joint resolution was ordered to be printed as amended, referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, to whom was referred the bill for the relief of the township of Waterloo, in the county of Jackson, reported the same back, together with a substitute therefor, which report was accepted and the committee discharged from the further consideration of the subject, and

On motion of Mr. Fox,

The bill was laid on the table, and the substitute was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Cce, from the committee on the judiciary, to whom was re-committed the bill to authorize proceedings against garnishees, and for other purposes, reported the same back with sundry amendments and asked to be discharged from its further consideration, which report was accepted and the committee discharged, and

The bill was ordered to be printed as amended, referred to the committee of the whole and placed on the general order.

The following communications were announced:

EXECUTIVE OFFICE,  
Lansing, February 10, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to authorize Wilkes W. Durkee, of the county of Oakland, to sell certain real estate;

An act to authorize the supervisor of the township of Fairfield, in the county of Lenawee, to renew the warrant for the collection of taxes in said township.

Also a joint resolution directing the publication of a statement of lands to be sold in the county of Ionia, in eighteen hundred and forty-nine.

EPAPHRO. RANSOM.

OFFICE OF THE ATTORNEY GENERAL. }  
Lansing, February 12, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I herewith transmit to the House of Representatives my reply to their resolution asking my opinion of the legal construction of section two, article twelve of the constitution.

I have the honor to be,

Very truly, yours, &c.,

GEO. V. N. LOTHROP,

*Attorney General:*

On motion of Mr. Ingersoll,

The document accompanying the communication from the Attorney General was laid on the table and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, February 12, 1849.* }

SER:—I am instructed to transmit herewith a bill to extend the time for the collection of taxes in the township of Burns, in the county of Shiawassee, which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to extend the time for the collection of taxes in the township of Burns, in the county of Shiawassee, was read twice, when

Mr. Coe moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be read the third time; was so read and was passed.

Mr. Tilden, pursuant to previous notice, asked and obtained leave to introduce a bill to exempt certain personal estate from taxation, which was read twice and referred to the committee on ways and means.

Mr. Giddings, pursuant to previous notice, asked and obtained leave to introduce a bill to amend the revised statutes of 1846, relative to university lands, which was read twice and referred to the committee on the judiciary.

Mr. Giddings moved a suspension of so much of the rules as was necessary to enable him to ask leave to introduce a joint resolution, previous notice not having been given, which motion was lost, two-thirds not voting in the affirmative.

Mr. Giddings then gave notice that he would on some future day ask leave to introduce a joint resolution relative to slavery and the slave trade in the District of Columbia.

Mr. Mulhollen gave notice that on some future day he would ask leave to introduce a bill to repeal section sixteen of act number two hundred of session laws of 1848.

Mr. H. H. Comstock offered the following concurrent resolution, which was laid on the table under the rule, viz:

*Resolved*, (the Senate concurring) That the legislature will adjourn, on Thursday, the fifteenth instant, *sine die*.

Mr. Tuttle gave notice that on some future day he would ask leave

to introduce a bill to repeal the seventh section of the act number one hundred and ninety-six of the session laws of 1848.

Mr. Chamberlain offered the following resolution:

*Resolved*, That this House will, on and after this day, hold two daily sessions commencing at ten o'clock A. M. and half-past two o'clock P. M., of each day.

On motion of Mr. Ingersoll,

The resolution was laid on the table.

Mr. Andrews, pursuant to previous notice, asked leave to introduce a joint resolution to provide for the payment of N. Buel Eldredge, while claiming a seat in the House of Representatives, which leave was not granted.

Mr. Ferguson gave notice that on some future day he would ask leave to introduce a joint resolution.

The House having arrived at the order of unfinished business, took up the bill to amend the charter of the village of Adrian and to limit the amount of taxes to be raised in said village in any one year, when

Mr. Fox moved that its further consideration be indefinitely postponed, which motion prevailed.

The bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of fourteen east, known as salt spring lands belonging to the state, was taken up, and the first amendment reported thereto by the committee of the whole, was concurred in.

On motion of Mr. Ferguson,

The bill was laid on the table.

On motion of Mr. Ingersoll,

The House resolved itself into a committee of the whole on the bill to incorporate the Minnesota mining company, and a bill to incorporate the North-Western mining company of Michigan, Mr. Giddings in the chair.

And after spending some time thereon, the committee rose and by their chairman reported the first named bill back with sundry amendments, in which the concurrence of the house was asked, and also reported that they had had the last named bill under consideration, in which they had made some progress, and asked leave to sit again thereon.

On motion of Mr. Coe,

The House adjourned.



*Tuesday, February 13, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Flower, Hammond, Morton, Mosher, Pennoyer, St. Clair and G. B. Turner were absent on leave, and Messrs. Bowle, H. H. Comstock, David and O'Malley were absent without leave.

Mr. Ingersoll moved that the Sergeant-at-Arms be sent for Mr. O'Malley, which motion was lost.

Mr. Salyer asked and obtained leave of absence for Mr. H. H. Comstock for the day.

Mr. Giddings for Mr. Bowne, as above.

Mr. Chittenden for Mr. O'Malley, as above.

Mr. Stevens for Mr. David, for an indefinite time.

On motion of Mr. Salyer,

The action of the rule requiring the reading of the Journal was suspended.

Mr. Waite presented the petition of C. T. Fillmore and others, for the passage of a law to prohibit the sale of spirituous liquors or wines as a beverage; referred to the committee on state affairs.

Mr. Andrews presented the remonstrance of Jay R. Munroe and others, of Van Buren county, asking an appropriation of certain highway taxes on a certain road; referred to the committee on roads and bridges.

Mr. Deming, from the committee on roads and bridges, to whom was referred the bill for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer, in the county of Lapeer, and the bill for the improvement of the road leading from Hillman's, in the town of Tyrone, and county of Livingston, to Pontiac, in the county of Oakland, reported the same back without amendment, and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects; and

The bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, reported a bill to require the supervisors of Berrien county to construct and maintain certain

bridges in said county, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the bill to amend the revised statutes of 1846, relative to university lands, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, reported a bill to amend chapter one hundred and twenty-three, of the revised statutes of 1846, and

A bill to amend section four of chapter eighty-eight of the revised statutes of 1846;

Which were severally read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Coe, from the committee on the judiciary, reported a bill to amend chapter ninety-three of the revised statutes of 1846, in relation to appeals, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to incorporate the New Buffalo and Laporte plank road company;

A bill to amend chapter one hundred and fifty-five of the revised statutes, in relation to forgery and counterfeiting;

A bill to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors; and

A bill to provide for laying out a state road from Mason to Dexter.

Mr. Tuttle, from the committee on claims, to whom was referred the petition of Messrs. Elliott and Van Aiken for relief, reported the same back, and reported adverse to the prayer of the petition, which

report was accepted and the committee discharged from the further consideration of the subject.

Mr. Tuttle, from the same committee, reported a joint resolution relative to the claim of Alexander Titchworth, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ingersoll, from the committee on printing, to whom was referred the bill to amend the revised statutes in relation to the printing of the annual reports of state officers, reported the same back without amendment and recommended its passage,

Which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ingersoll, from the same committee, reported a joint resolution relative to state printing, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ingersoll, from the same committee, to whom was referred the claim of Leonora M. Ellis, widow of Edward D. Ellis, in behalf of Ellis & Briggs, for damages, reported the same back, and reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Hawley, from the select committee on the subject of calling a convention to revise the constitution, submitted a written report which was,

On motion of Mr. Chittenden,

Laid on the table and one thousand copies ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 13, 1849. }

*To the Speaker of the House of Representatives:*

Sir:—I am instructed to transmit herewith the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the grand lodge of free and accepted masons of the state of Michigan;

A bill to incorporate the Northville hydraulic company:

- A bill to incorporate the Detroit savings' fund institute;
- A bill to incorporate the trustees of Elmwood cemetery;
- A bill to enlarge the powers and increase the number of officers in school district number four, in the township of Ypsilanti;
- A bill authorizing Abram Smith and John W. Russell to erect a dam across Grand river, in the county of Eaton; and
- A bill to amend the charter of the city of Detroit.

I am further instructed to inform you that the Senate have concurred in a bill to provide for the support of the poor in the counties of Calhoun and Van Buren, which bill is herewith returned.

I am further instructed to inform you that the Senate have concurred in the amendment of the House to a bill to extend the time for the collection of taxes in the township of Bridgeport, in the county of Saginaw, and that the bill as amended has been ordered to be enrolled.

I am further instructed to respectfully inform you that the Senate insist on their disagreement to the amendment of the House to the Senate substitute for the House joint resolution relative to the claim of John W. Palmer, and that Messrs. Summers, Hart and Shoemaker have been appointed a committee of conference on the part of the Senate, upon the disagreement between the two Houses on said substitute for said joint resolution, which is herewith returned, and to respectfully request the appointment of a like committee on the part of the House.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to provide for the support of the poor in the counties of Calhoun and Van Buren, was ordered to be enrolled;

The Senate bill to incorporate the Detroit savings' fund institute;

The Senate bill to amend the charter of the city of Detroit;

The Senate bill to incorporate the trustees of Elmwood cemetery;

The Senate bill to incorporate the Northville hydraulic company; and

The Senate bill to incorporate the grand lodge of free and accepted masons of the state of Michigan,

Were severally read twice and referred to the committee on banks and incorporations.

The Senate bill authorizing Abram Smith and John W. Russell to erect a dam across Grand river, in the county of Eaton, was read twice and referred to the committee on roads and bridges.

The Senate bill to enlarge the powers and increase the number of officers in school district number four in the township of Ypsilanti, was read twice and referred to the committee on education.

A committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on the House amendment to the Senate substitute for the joint resolution relative to the claim of John W. Palmer, and

Messrs. Tuttle, Deming and Lovell were appointed as such committee.

Mr. Ingersoll gave notice that he would on some future day ask leave to introduce a bill to incorporate the Lansing coal company.

Mr. Giddings, pursuant to previous notice, asked and obtained leave to introduce a preamble and joint resolutions relative to slavery and the slave trade in the District of Columbia, which was read twice and referred to the committee on federal relations.

Mr. Mulhollen, pursuant to previous notice, asked and obtained leave to introduce a bill to repeal section sixteen of an act to amend the revised statutes of 1846; approved April 3, 1848, which was read twice and referred to the committee on the judiciary.

Mr. Ferguson introduced a joint resolution fixing the day of adjournment, which was read, and under the rule, laid on the table.

Mr. Lockwood gave notice that he would on some future day ask leave to introduce a joint resolution authorizing the Speaker to draw his warrant for the per diem allowance of the late Herman C. Noble during the present session of the legislature, in favor of Mrs. Maria E. Noble.

Mr. Harger moved that the concurrent resolution fixing the day of adjournment, offered by him on the fifth instant, be taken from the table, which motion was lost.

Mr. Chamberlain moved to take from the table the resolution yesterday offered by him, ordering the holding of two daily sessions, which motion was lost.

The House having arrived at the order of unfinished business, took up the bill to incorporate the North-West mining company of Michigan, and the question being on granting the committee of the whole leave to sit again thereon, it was agreed to.

The bill to incorporate the Minnesota mining company, was taken up, and the first amendment reported thereto by the committee of the whole, was non-concurred in, and the second amendment reported thereto was concurred in.

Mr. Ingersoll moved that the eighth line of section four be amended by striking out the word "state," which motion was decided in the affirmative, by the following vote:

## YEAS.

Mr. Bacon,  
Belding,  
Buck,  
Coe,  
Dayton,  
Earl,  
Fox,  
Giddings,  
A. Gillet,

Mr. M. S. Gillett,  
Haight,  
Harger,  
Hartsuff,  
Hobart,  
Ingersoll,  
Lovell,  
Matthews,

Mr. McNair,  
Mulhollen,  
Parkhurst,  
Salyer,  
Stoddard,  
J. W. Turner,  
Wright,  
Speaker *pro tem.*,  
25

## NAYS.

Mr. Allen,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Coman,  
Curtis,  
Deming,

Mr. Ferguson,  
Hatch,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
McNeil,  
Moffatt,

Mr. Smith,  
Stevens,  
Tilden,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
23

The House then resolved itself into a committee of the whole on the bill to incorporate the North-West mining company of Michigan, Mr. Giddings in the chair.

And after spending some time thereon, the committee rose, and by their chairman reported the bill back to the House, which report was accepted.

On motion of Mr. Lockwood,  
The House adjourned.

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Wednesday, February 14, 1849.

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem.*

Prayer by the Chaplain.

The roll was called and Messrs. David, Davis, Flower, Hammond, Morton, Mosher, St. Clair and G. B. Turner were absent on leave.

On motion of Mr. Burk,

The action of the rule requiring the reading of the journal was suspended.

Mr. Pennoyer presented the petition of William M. Ferry and one hundred other citizens of Ottawa county, for the establishment of a state road from a certain point on the north bank of Grand river, in the county of Ottawa, to Muskegon lake, in said county; referred to the committee on roads and bridges.

Mr. Pennoyer also presented the remonstrance of Palmer Church and fifty-five others, of the counties of Kent and Ottawa, against the passage of any act infringing the contract rights on the present plan of operations already adopted, and far advanced towards completion, for the construction of a canal and locks around the rapids of Grand river, at Grand Rapids; referred to the committee on internal improvement.

Mr. Pennoyer also presented the petition of George Shee-shaw-a-ne-bi-si, alias Matagama, and Ami-me-ke-se Na-wa-ba-no, two Ottawa Indians, asking authority to sell and convey certain real estate; referred to the committee on the judiciary.

Mr. Hobart presented a petition of H. H. Smith and forty-two others, of Branch county, asking for the incorporation of a company to construct a railroad from Marshall *via* Union City, to Constantine; referred to the committee on banks and incorporations.

Mr. Matthews presented a petition of Washington Pitcher and twenty-five other citizens of St. Joseph county, for the extension of the charter of the Farmers' and Mechanics' bank of Michigan; laid on table.

Mr. Bacon presented a petition of Samuel Allender and others, of Cass county, for the same purpose; laid on the table.

Mr. Parkhurst presented a petition of Hestor L. Stevens and others, of Oakland county, for the same purpose; laid on the table.

Mr. Andrews presented the petition of W. H. Keeler and others, of Van Buren county, for the same purpose; laid on the table.

Mr. J. W. Turner presented five several petitions of citizens of this state, for the same purpose; laid on the table.

Mr. M. S. Gillett presented the remonstrance of Jonathan Kearsley and others, against any alteration in the charter of the city of Detroit; laid on the table.

Mr. Lockwood presented a petition of John Taylor and others, for a re-enactment of the garnishee law; laid on the table.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the Senate joint resolution relative to moneys advanced by the state of Michigan in behalf of the United States, and for other purposes, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, reported a bill to vacate the plat of the village of Sharon, in the county of Washtenaw, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom had been referred the bill to repeal section sixteen of an act to amend the revised statutes of 1846, approved April 3, 1848, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner from the committee on banks and incorporations, to whom had been referred the following entitled Senate bills, reported the same back without amendment and recommended their passage, viz:

The Senate bill to incorporate the Detroit savings' fund institute;

The Senate bill to amend the charter of the city of Detroit;

The Senate bill to incorporate the trustees of Elmwood cemetery;  
and

The Senate bill to incorporate the Northville hydraulic company.

Which report was accepted, and the committee discharged from the further consideration of the subjects, and

The bills were referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, to whom was referred the Senate bill authorizing Abram Smith and John W. Russell to erect a dam across Grand river in the county of Eaton,



Reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, reported a bill to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a state road in said township, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to provide for the support of the poor in counties of Calhoun and Van Buren, and for other purposes, was correctly enrolled and was this day presented to the Governor for his approval.

Mr. Parkhurst, from the same committee, reported as correctly engrossed,

A bill to incorporate the Minnesota mining company.

Mr. Hawley, from the select committee on the subject of a revision of the constitution, to whom was referred the joint resolution proposing amendments to the constitution relative to biennial sessions of the legislature, reported the same back without action, which report was accepted, and the committee discharged from the further consideration of the subject, and

The joint resolution was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Hawley, from the same committee, to whom was referred the joint resolution in regard to a state convention, reported the same back without amendment, and recommended its passage, which report was accepted, the committee discharged from the further consideration of the subject, and

The joint resolution was ordered to be printed, referred to the committee of the whole and placed on the general order.

The following communications were announced:

EXECUTIVE OFFICE, }  
Lansing, February 13, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend chapter one hundred and fifty-five of the revised statutes of one thousand eight hundred and forty-six, in relation to forgery and counterfeiting;

An act to incorporate the New Buffalo and Laporte plank road company;

An act to provide for laying out a state road from Mason to Dexter,

And an act to amend section seven of chapter one hundred and forty-one of the revised statutes, in relation to the punishment of fraudulent debtors.

EPAPHRO. RANSOM.

SENATE CHAMBER,  
Lansing, February 14, 1849. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return herewith a bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta, and to respectfully inform you that the Senate have concurred therein; also

Joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked.

I am further instructed to return herewith,

A bill to provide for laying out private roads; and

A bill to amend an act entitled an act to amend the revised statutes of 1846, approved March 17, 1847;

And to respectfully inform you that the Senate have non-concurred therein.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta, was ordered to be enrolled.

The joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico, was taken up, and the question being on concurring in the

amendment thereto, which amendment strikes out the following proviso:

*"Provided, Before said board enter upon the settlement of any such claims, the claimant shall furnish to the state a good and sufficient bond to be approved by the board, conditioned that the settlement shall be final, and that he will at no time thereafter apply to the legislature of Michigan for relief, predicated upon such claim,"*

It was non-concurred in, by the following vote:

## YEAS.

Mr. Allen,	Mr. H. H. Comstock,	Mr. Ingersoll,
Andrews,	Curtis,	Moran,
Belding,	Dayton,	Parkhurst,
Bowne,	Haight,	Stevens,
Cady,	Harger,	Tuttle,
Campbell,	Hawley,	Wright,
Chittenden,	Hobart,	Speaker <i>pro tem.</i> ,

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## NAYS.

Mr. Bacon,	Mr. Hartsuff,	Mr. O'Malley,
Buck,	Hatch,	Pennoyer,
Bark,	Holmes,	Salzer,
Chamberlain,	Kilborn,	Smith,
Coman,	Lovell,	Stoddard,
Coe,	Matthews,	Tilden,
Earl,	McNair,	J. W. Turner,
Ferguson,	McNeil,	Turrill,
Fox,	Moffatt,	Waite,
A. Gillet,	Mulhollen,	Wilkinson,
M. S. Gillett,		

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Mr. Tuttle, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter one hundred and seventy-two of the revised statutes of 1846, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Chittenden,

The committee of the whole were discharged from the further consideration of the Senate bill to amend the charter of the city of Detroit, and the bill to enlarge the corporate limits of the city of Detroit, and

The first named bill being under consideration,

Mr. Coe moved that it be recommitted to the committee of the whole, which motion was lost, by yeas and nays, as follows:

## YEAS.

Mr. Bowne,  
Buck,  
Burk,  
Coe,  
Dayton,  
Earl,

Mr. Fox,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Holmes,  
Lovell,

Mr. Mulhollen,  
Pennoyer,  
Salyer,  
Smith,  
Turrill,  
Waite,

18

## NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
Curtis,  
Ferguson,

Mr. Harger,  
Hartsuff,  
Hatch,  
Hawley,  
Ingersoll,  
Kilborn,  
Lockwood,  
Matthews,  
McNair,  
McNeil,  
Moffatt,

Mr. Moran,  
O'Malley,  
Parkhurst,  
Stevens,  
Stoddard,  
Tilden,  
J. W. Turner,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker *pro tem.*,

33

Mr. Salyer moved that the bill be laid on the table,

Which motion was lost, and

On motion of Mr. Hawley,

The bill was made the special order for Friday next.

The bill to enlarge the corporate limits of the city of Detroit, being under consideration,

On motion of Mr. Chittenden,

The blank in the fourth section was filled by the words, "the house of P. McLaughlin on Fort street."

The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. Pennoyer offered the following resolution:

*Resolved*, That when this House adjourns it will adjourn to meet at half past two o'clock this afternoon.

On motion of Mr. Ferguson,

The resolution was laid on the table.

Mr. Tilden gave notice that he would on some future day ask leave to introduce a bill to incorporate the Tecumseh and Dundee plank road company.

Mr. Harger offered the following resolution:

*Resolved*, That this House receive no more new business after the second Wednesday of March, and all standing committees shall make their reports before that time.

Mr. Hawley moved to amend the resolution by striking out all after the word "Resolved," and inserting: "That after the first day of March next, no more reports from standing or select committees be received by this House,"

Pending which,

On motion of Mr. Moffatt,

The whole subject was laid on the table.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Lansing coal company, which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Hawley,

*Resolved*, That the Auditor General be requested to communicate to this House the amount of money paid by the agent of the state prison to persons bringing convicts to the prison during the year 1847, designating the amount paid to each county.

The bill to incorporate the Minnesota mining company was read the third time, and

On motion of Mr. Ingersoll,

Laid on the table.

The bill to enlarge the corporate limits of the city of Detroit was read the third time and passed by the following vote, two-thirds of the whole House voting in the affirmative :

#### YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Bowne,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
Curtis,  
Dayton,  
Earl,  
Ferguson,

Mr. Fox,  
Giddings,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Harger,  
Hartsuff,  
Hatch,  
Hawley,  
Hobart,  
Holmes,  
Lockwood,  
Lovell,  
Matthews,  
McNair,  
McNeil,  
Moffatt,

Mr. Moran,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
Stevens,  
Stoddard,  
Tilden,  
G. B. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Wright,  
Speaker *pro tem.*,

52

#### NAYS.

0

The House having arrived at the order of unfinished business, took up the bill to incorporate the North-West mining company of Michigan, and

On motion of Mr. Coe,

It was laid on the table.

The House having arrived at the special order, took up the bill to authorize the improvement of the Kalamazoo river, and for other purposes, and

The question being on the amendment moved by Mr. G. B. Turner, adding to the bill the following section:

"Sec. 7. Nothing contained in this act shall be so construed to authorize the appropriation or selection of any lands in the lower peninsula, appropriated at the session of the legislature of the year 1848,"

Mr. Pennoyer moved that the further consideration of the whole subject be indefinitely postponed, which motion was decided in the negative, by the following vote:

#### YEAS.

Mr. Allen,	Mr. Curtis,	Mr. Parkhurst,	
Belding,	Fox,	Pennoyer,	
Burk,	M. S. Gillett,	Stevens,	
Cady,	Haight,	Turrill,	
Campbell,	Harger,	Tuttle,	
Chamberlain,	Holmes,	Waite,	
Chittenden,	Lockwood,	Wright,	21

#### NAYS.

Mr. Andrews,	Mr. A. Gillet,	Mr. Moran,	
Bacon,	Hartsuff,	Mulhollen,	
Bowne,	Hawley,	O'Malley,	
Buck,	Hobart,	Salzer,	
Coe,	Ingersoll,	Smith,	
Coman,	Kilborn,	Stoddard,	
H. H. Comstock,	Lovell,	Tilden,	
Dayton,	Matthews,	J. W. Turner,	
Earl,	McNeil,	Wilkinson,	
Ferguson,	Moffatt,	Speaker <i>pro tem.</i> ,	
Giddings,			31

The question then recurring on the amendment moved by Mr. G. B. Turner, it was not agreed to.

On motion of Mr. Ferguson,

The following proviso was added to section three:

"*Provided*, That the state shall in no case be called on for any land heretofore appropriated, nor for the value thereof."

Mr. Lovell moved that the third section be amended by striking out therefrom the following: "seven thousand four hundred and ninety-five acres of internal improvement lands, being that portion of the five hundred thousand acres granted by the general government to this state for internal improvement purposes, not yet located, or the location of which is not recognized by the secretary of the treasury, are hereby appropriated for the purpose of improving the navigation of the Kalamazoo river, as aforesaid, to be laid out and expended by the commissioners named in the first section of this act," which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Belding,	Mr. A. Gillet,	Mr. Lovell,	
Burk,	M. S. Gillett,	Parkhurst,	
Campbell,	Haight,	Pennoyer,	
Chamberlain,	Harger,	Tuttle,	
Chittenden,	Holmes,	Waite,	
Fox,	Lockwood,	Wright,	18

## NAYS.

Mr. Andrews,	Mr. Ferguson,	Mr. Mulhollen,	
Bacon,	Giddings,	O'Malley,	
Bowne,	Hartsuff,	Salver,	
Buck,	Hawley,	Smith,	
Cady,	Hobart,	Stevens,	
Coe,	Ingersoll,	Stoddard,	
Coman,	Kilborn,	Tilden,	
H. H. Comstock,	Matthews,	J. W. Turner,	
Curtis,	McNeil,	Wilkinson,	
Dayton,	Moffat,	Speaker <i>pro tem.</i> ,	
Earl,	Moran,		32

Mr. Parkhurst moved an adjournment, but the House refused to adjourn.

On motion of Mr. Ferguson,

The third section was amended by striking out of the fourth and fifth lines the words "and placed at the disposal of said commissioners," and by inserting after "contributions," in the third line, the words "and actually paid into the hands of the commissioners."

Mr. J. W. Turner moved that the further consideration of the bill be indefinitely postponed, which motion was lost, by the following vote:

## YEAS.

Mr. Allen	Mr. M. S. Gillett,	Mr. Pennoyer,	
Belding,	Haight,	Salver,	
Burk,	Harger,	J. W. Turner,	

Campbell,  
Chamberlain,  
Chittenden,  
Fox,  
A. Gillet,

Hatch,  
Holmes,  
Lockwood,  
O'Malley,  
Parkhurst,

Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Wright,

24

## NAYS.

Mr. Andrews,  
Bacon,  
Bowne,  
Buck,  
Cady,  
Coe,  
Coman,  
H. H. Comstock,  
Curtis,

Mr. Earl,  
Ferguson,  
Giddings,  
Hartsuff,  
Hawley,  
Hobart,  
Ingersoll,  
Kilborn,  
McNeil,

Mr. Moffatt,  
Moran,  
Mulhollen,  
Smith,  
Stevens,  
Stoddard,  
Tilden,  
Speaker *pro tem.*,

26

On motion of Mr. Chamberlain,  
The House adjourned.

*Thursday, February 15, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. David, Davis, Flower, Hammond, Morton, Mosher, St. Clair and G. B. Turner were absent on leave, and Messrs. Campbell, Deming, Hatch and Smith were absent without leave.

Mr. McNair asked and obtained leave of absence for Mr. Deming for the day.

Mr. Wright for Mr. Hatch, for three days.

Mr. Stevens for Mr. Campbell, for the day.

On motion of Mr. Stevens,

The action of the rule requiring the reading of the journal was suspended.

Mr. Coman presented the petition of the board of school district number eight, in the township of Ransom, in the county of Hillsdale, for an act to legalize certain proceedings of said district; referred to the committee on the judiciary.

Mr. Ferguson presented the petition of S. H. Preston and one hundred and twenty-three others, for the incorporation of a company to



construct a railroad from Marshall, via Union city, to Constantine; referred to the committee on banks and incorporations.

Mr. Waite presented the petition of S. W. Willard and others, of Washtenaw county, for a law prohibiting the sale of spirituous liquors as a beverage; referred to the committee on state affairs.

Mr. Allen presented the petition of J. H. Adams and thirty-one others, of Clinton county, for an appropriation of internal improvement land for the improvement of the road leading from Lansing to De Witt; referred to the committee on internal improvement.

Mr. Lockwood presented the petition of Major Alderman and one hundred and four others, of the township of Commerce, for the appropriation of certain non-resident highway taxes on the road between the villages of Milford and Pontiac, in the county of Oakland, referred to the committee on roads and bridges.

Mr. Pennoyer presented the remonstrance of Robert Hilton and N. Fisk, against the passage of any act granting certain salt spring lands to John Hagadone, in accordance with the prayer of said Hagadone; referred to the committee on public lands.

Mr. McNair presented the remonstrance of citizens of Lenawee county, against extending the time for the payment of the amount due from the Michigan Southern railroad company to the state; laid on the table.

Mr. Parkhurst presented the petition of Frederick H. Kellicut, George C. Johnson, and sixty-eight others of Oakland county, for the passage of a law authorizing county treasurers to receive moneys due the primary school lands; referred to the committee on public lands.

Mr. J. W. Turner presented the remonstrance of Franklin Goodell and sixty-four others, against the restoration of the law authorizing capital punishment; referred to the committee on the judiciary.

Mr. Ferguson, from the committee on the judiciary, reported a bill to amend section eighteen of chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to amend section nineteen of chapter one hundred and fifty of the revised statutes of 1846; and

A bill to define the jurisdiction of the county courts, and for other purposes,

Which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on internal improvement, to whom was referred the petition of Elisha Belcher and sixty-four others, for an appropriation to improve the navigation of the Kalamazoo river, reported the same back and reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Pennoyer, from the same committee, to whom was referred the bill appropriating certain internal improvement lands for the purpose of constructing certain roads and bridges in the county of Berrien, reported the same back without action, which report was accepted and the committee discharged, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Moran, from the committee on roads and bridges, reported a bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Matthews, from the committee on the organization of townships and counties, reported a bill to organize certain townships, and for other purposes, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Tuttle, from the committee of conference on the part of the House on the disagreement between the two Houses on the amendment to the Senate substitute for the joint resolution relative to the claim of John W. Palmer, reported that the committee had agreed to recommend to the House to recede from the amendment, which report was accepted and the committee discharged, and

The question being on receding from the amendment, it was decided in the affirmative, and the joint resolution was ordered to be enrolled.

The following communication was announced:

EXECUTIVE OFFICE,  
Lansing, February 14, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the support of the poor in the counties of Calhoun and Van Buren, and for other purposes.

## EPAPHRO. RANSOM.

Mr. Fox made the following announcement:

Mr. SPEAKER:—It has become my painful duty to announce to this House, the death of Benjamin Follet Tisdale, one of the messengers of this House, who died at his lodgings, at the Benton House, at two o'clock P. M., yesterday, in the 14th year of his age.

In announcing to the House this melancholy dispensation of Providence, it affords me unfeigned satisfaction, that I am enabled without ostentation to say of the deceased, that he was not only an honor to his bereaved parents, but the pride of the village in which he dwelt. The urbanity of his manners and his gentlemanly deportment and activity in business was a sufficient commendation to secure for him the place that he occupied on the floor of this House, and the affections of its members.

Mr. H. H. Comstock offered the following preamble and resolutions, which were unanimously adopted:

*Whereas*, The sudden death of Benjamin Follét Tisdale, one of the messengers of the House, has been announced, which dispensation of Providence excites our deep sorrow, the deceased having by his activity and many virtues endeared himself to us in the discharge of his duties; therefore

*Resolved*, That a committee of three be appointed by the Speaker, to ascertain the amount, make arrangements for the payment of the necessary expenses attending the sickness and funeral obsequies of the deceased.

*Resolved*, That the associate messengers of this House be directed to wear the usual badge of mourning for the deceased, for thirty days.

The Speaker appointed as the committee under the foregoing resolutions, Messrs. H. H. Comstock, Fox and Ferguson.

Mr. Ingersoll offered the following resolution:

*Resolved*, That Henry Smith be and he is hereby appointed a messenger to this House in place of Benjamin F. Tisdale, deceased.

Mr. J. W. Turner moved to amend the resolution by striking out all after the word "that" to and including the word "appointed,"

and inserting "the Speaker be and he is hereby authorized to appoint," which amendment was not agreed to, and

The original resolution was adopted.

Mr. Tilden, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Tecumseh and Dundee plank road company, which was read twice and referred to the committee on banks and incorporations.

The House having arrived at the order of unfinished business, took up the bill to authorize the improvement of the Kalamazoo river, and for other purposes, when

On motion of Mr. Hawley,

The following provision was added to section six:

*"And provided further, That said Auditor General shall not draw said warrants until he has received from said commissioners satisfactory proof, verified by the oath of said commissioners, that the above mentioned contributions as required by section three have been paid into their hands for the purposes of this act."*

On motion of Mr. Ferguson,

The words "nor for the value of any lands hereby appropriated," were added to section three.

Mr. Fox moved that the fourth line of section three be amended by striking out the words "according to the terms of the last preceding section," which motion was lost.

Mr. Hanger moved to add a new section to the bill to stand as section seven, as follows:

"Sec. 7. This act shall not take effect until the year 1913,"

Which section was rejected, by the following vote:

#### YEAS.

Mr. Fox,  
M. S. Gillett,  
Hanger,  
Holmes,

Mr. Lovell,  
Moran,  
Parkhurst,

Mr. Turrill,  
Tuttle,  
Wright,

10.

#### NAYS.

Mr. Andrews,  
Bacon,  
Belding,  
Bowne,  
Buck,  
Burk,  
Cady,  
Chamberlain,

Mr. Dayton,  
Earl,  
Ferguson,  
Giddings,  
A. Gillet,  
Haight,  
Hartsuff,  
Hobart,

Mr. McNeil,  
Moffatt,  
Mulhollen,  
O'Malley,  
Pennoyer,  
Salyer,  
Stevens,  
Stoddard,

Chittenden,	Ingersoll,	Tilden,
Coman,	Kilborn,	J. W. Turner,
H. H. Comstock,	Lockwood,	Wilkinson,
O. C. Comstock,	Matthews,	Speaker,
Curtis,	McNair,	38

Mr. Pennoyer moved a call of the House, which was had, and it was found that Messrs. Hawley and Smith were absent without leave.

On motion of Mr. Ingersoll,

The Sergeant-at-Arms was sent for Mr. Hawley.

Mr. Hawley having returned,

On motion of Mr. O'Malley,

All further proceedings under the call were dispensed with.

The bill under consideration was then ordered to be read the third time by the following vote:

#### YEAS.

Mr. Andrews,	Mr. Ferguson,	Mr. Moffatt,
Bacon,	Giddings,	Moran,
Bowne,	A. Gillet,	Mulhollen,
Buck,	Haight,	O'Malley,
Coe,	Hartsuff,	Salyer,
Coman,	Hawley,	Stevens,
H. H. Comstock,	Hobart,	Stoddard,
O. C. Comstock,	Ingersoll,	Tilden,
Dayton,	Lockwood,	Waite,
Earl,	Matthews,	29

#### NAYS.

Mr. Allen,	Mr. M. S. Gillett,	Mr. Pennoyer,
Belding,	Harger,	J. W. Turner,
Burk,	Holmes,	Turrill,
Cady,	Kilborn,	Tuttle,
Chamberlain,	Lovell,	Wilkinson,
Chittenden,	McNair,	Wright,
Curtis,	McNeil,	Speaker,
Fox,	Parkhurst,	23

The bill to provide for the removal of the state land office to the seat of government, was taken up, when

Mr. Hawley moved that it be amended by striking out of the fourth line of section four, the word "commissioner," and inserting "Auditor General;" and also by striking out sections two and three, and inserting the following to stand as section two:

"Sec. 2. From and after the day of closing the land office at Marshall as above provided, the offices of commissioner and recorder of the state

land office shall be and are hereby abolished; and the duties heretofore performed by said officers shall be hereafter done and performed by the Auditor General, and all moneys now payable to said commissioner, shall be paid directly to the State Treasurer, the receipt thereof to be countersigned by the Auditor General."

Pending which amendment,

Mr. Chamberlain moved that the bill be committed to the committee on state affairs with instructions to enquire into the expediency of abolishing the offices of commissioner and recorder of the land office, and providing for a discharge of their duties by the State Treasurer and Auditor General; and also providing for the payment of principal and interest due on school and university lands at the offices of the county treasurers of the several counties in which the lands lie; which motion prevailed, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Moran,
Bacon,	Ferguson,	Mulhollen,
Bowne,	Giddings,	O'Malley,
Buck,	A. Gillet,	Salzer,
Chamberlain,	Haight,	Stevens,
Coe,	Hawley,	Stoddard,
Coman,	Hobart,	Tilden,
Curtis,	Matthews,	Turrill,
O. C. Comstock,	Moffatt,	Waite,

27

## NAYS.

Mr. Allen,	Mr. Hartsuff,	Mr. Parkhurst,
Belding,	Holmes,	Pennoyer,
Burk,	Ingersoll,	J. W. Turner,
Cady,	Kilborn,	Tuttle,
H. H. Comstock,	Lockwood,	Wilkinson,
Fox,	Lovell,	Wright,
M. S. Gillett,	McNair,	Speaker,
Harger,	McNeil,	

23

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 15, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit to you the following entitled bills and joint resolutions, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to lay out, alter, and establish a public highway on section one, township two north, of range eleven east, in Troy, Oakland county;

A bill for the improvement of the road leading from Grand Blanc to the Thread Mills, in the county of Genesee;

A bill to amend section thirty-four of chapter one hundred and thirty-four of the revised statutes of 1846;

A bill for the improvement of Flat river in the counties of Montcalm, Ionia and Kent;

A bill for the improvement of the road leading from the township of Marathon, in the county of Lapeer, to Oxford, in the county of Oakland;

A bill to incorporate the city of Detroit gas company;

A bill to authorize Jacob Barns, guardian of Cornelius Barns, to sell certain real estate;

Joint resolution authorizing the board of state auditors to examine and settle the claim of Thomas B. W. Stockton; and

Joint resolution relative to the claim of James Parshall.

I am further instructed to return herewith a bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company, and to respectfully inform you that the Senate have concurred therein.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company was ordered to be enrolled.

The Senate bill for the improvement of the road leading from Grand Blanc to the Thread Mills, in the county of Genesee;

The Senate bill for the improvement of the road leading from the township of Marathon, in the county of Lapeer, to Oxford, in the county of Oakland; and

The Senate bill for the improvement of Flat river, in the counties of Montcalm, Ionia and Kent,

Were severally read twice and referred to the committee on internal improvement.

The Senate bill to incorporate the city of Detroit gas company; was read twice and referred to the committee on banks and incorporations.

The Senate bill to lay out, alter and establish a public highway on section one, town two north of range eleven east, in Troy, Oakland

county, was read twice and referred to the committee on roads and bridges.

The Senate bill to authorize Jacob Barns, guardian of Cornelius Barns, to sell certain real estate, and

The Senate bill to amend section thirty-four of chapter one hundred and thirty-four of the revised statutes of 1846,

Were severally read twice and referred to the committee on the judiciary.

The Senate joint resolution authorizing the board of state auditors to examine and settle the claim of Thomas B. W. Stockton, and

The Senate joint resolution relative to the claim of James Parshall,

Were severally read twice and referred to the committee on claims.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, February 15, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico, and to respectfully inform you that the Senate insist upon their amendment to the same, and that Senators Baxter, Dort and Isbell have been appointed a committee of conference on the disagreement between the two Houses on said bill.

I am further instructed to return herewith the following entitled bill, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to enlarge the corporate limits of the city of Detroit.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to enlarge the corporate limits of the city of Detroit was ordered to be enrolled.

On motion of Mr. Chittenden,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on the joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the



Michigan volunteer regiment called to serve in the late war with Mexico.

The Speaker appointed Messrs. Chittenden, Fox and Andrews as such committee.

On motion of Mr. Hawley,

The House resolved itself into a committee of the whole on the joint resolution relative to the claim of Alexander Titchworth, Mr. Kilborn in the chair, and after spending a short time thereon, the committee rose and by their chairman reported the joint resolution back to the House without amendment.

On motion of Mr. Hawley,

The joint resolution was laid on the table.

The House then resolved itself into a committee of the whole on the general order, Mr. Coe in the chair, and after spending some time thereon, the committee rose and by their chairman reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the St. Joseph river navigation company;

A bill to incorporate the Frederick and Utica plank road company; and

A joint resolution relative to the selection of the public lands.

On motion of Mr. Wright,

The House adjourned.

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*Friday, February 16, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. David, Davis, Flower, Hammond, Hatch, Morton, Mosher, St. Clair and G. B. Turner, were absent on leave, and Messrs. Campbell, Deming and Smith were absent without leave.

Mr. Stevens asked and obtained leave of absence for Mr. Campbell for an indefinite period.

Mr. Bowne for Mr. Smith, as above.

Mr. McNair for Mr. Deming, till Monday.

The journal of yesterday was read and corrected.

Mr. Moffatt presented the petition of division number five of the Sons of Temperance of the state of Michigan, for the prohibition of the sale of wines and spirituous liquors, as a beverage; referred to the committee on state affairs.

Mr. Moffatt also presented the remonstrance of the yearly meeting of Friends, held at Battle Creek, during the present month, against the restoration of the law providing for capital punishment; referred to the committee on the judiciary.

Mr. Moffatt also presented the petition of the said yearly meeting of Friends, for the passage of a law making it a penal offence for any officer or citizen of this state to aid in the capture of fugitive slaves; referred to the committee on federal relations.

Mr. Pennoyer presented the petition of George C. Darrow and sixty others, and of Daniel Ball and one hundred and fifty others, for an extension of the charter of the Farmers' and Mechanics' bank of Michigan; laid on the table.

Mr. Lockwood presented the petition of Wm. C. Hoyt, and sixty others, for the laying out of a state road from the village of Milford, Oakland county, to Davisonville, in Genesee county, and for the appropriation of certain non-resident highway taxes thereon; referred to the committee on roads and bridges.

Mr. Lockwood also presented the petition of Wm. C. Hoyt and others, for the appropriation of certain non-resident highway taxes on the road from Milford to Pontiac; same reference.

Mr. Chamberlain presented the petition of John D. Ross and one hundred and nine others, of Berrien county, for an extension of the charter of the Farmers' and Mechanics' bank of Michigan; laid on the table.

Mr. O. C. Comstock, from the committee on education, to whom was referred the Senate bill to enlarge the powers and increase the number of officers in school district number four, in the township of Ypsilanti, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Packhurst from the committee on engrossment and enrollment reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company, and

A bill to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the bill to amend chapter one hundred and seventy-two of the revised statutes of 1846, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the Senate bill relative to costs of proceeding in criminal cases, reported the same back with an amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee on the judiciary to whom was referred the petition of the supervisors of Kent county for an alteration of the poor laws of that county; also a resolution in relation thereto, have had the same under consideration, and instruct me as their chairman, to report that in the opinion of the committee no legislation is necessary, as all that is asked by the petitioners can be obtained under the provisions of a general law on that subject passed at the present session of the legislature, and the committee ask to be discharged from the further consideration of the subject.

Mr. Ferguson, from the same committee, reported the following entitled bills, which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order, viz:

A bill to authorize certain Indians to convey lands in the county of Allegan;

A bill to vacate a portion of the village of Berrien, in the county of Berrien; and

A bill to regulate costs in certain cases.

Mr. Ferguson, from the same committee, to whom was referred the bill to amend chapter ninety-three of the revised statutes of 1846, reported the same back, and reported adverse to its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

On motion of Mr. Ferguson,

The further consideration of the bill was indefinitely postponed.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom had been recommitted the bill to incorporate the president, directors and company of the Peninsular bank, and

The bill to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto,

Reported the same back with sundry amendments, and asked to be discharged from their further consideration, which report was accepted and the committee discharged, and

The bills were ordered to be printed referred to the committee of the whole and placed on the general order.

Mr. Kilborn, from the committee on public lands, made the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz:

The committee on public lands to whom was referred the claim of J. A. Peck and others, of Oakland county, asking the reduction of the price of certain school lands, have had the same under consideration, and are of the opinion that the relief sought by the petitioners may be obtained under the provisions of the revised statutes of 1846, chapter sixty, and have instructed me as their chairman to report the same back recommending no legislative action on the same, and ask to be discharged from its further consideration.

Mr. Matthews, from the committee on the organization of townships and counties, reported the following entitled bills, which were severally read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order, viz:

A bill to alter the boundary line dividing the counties of St. Clair and Sanilac, and

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair.

Mr. Chittenden from the committee of conference on the part of the House on the disagreement between the two Houses, on the joint

resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment, reported that the committee had agreed to recommend the Senate to recede from their amendment to the joint resolution, and also to recommend to the two Houses the addition of the following amendment:

Insert in the seventh line after the word "appropriated," the words following:

"*Provided*, That all such claims shall be presented for final adjustment on or before the first day of November next, and for all claims not so presented the state shall in no case be held responsible."

Which report was accepted and the committee discharged, and the question being on concurring in the report, it was concurred in.

The following communication was announced:

AUDITOR GENERAL'S OFFICE,  
*Lansing, February 15, 1849.* }

HON. L. CHAPMAN,

*Speaker of the House of Representatives:*

Sir:—I have the honor to acknowledge the receipt of a resolution passed yesterday by the House, in the words following:

"*Resolved*, That the Auditor General be requested to communicate to this House the amount of money paid by the agent of the state prison to persons bringing convicts to the prison during the year 1847, designating the amount paid to each county."

In reply to the above resolution, I have had prepared and herewith transmit a statement of the moneys so paid for transportation of convicts, embracing also the amounts paid directly from the state treasury during the months of January and February in said year, before the taking effect of the provisions of the revised statutes of 1846, authorizing the agent of the prison to pay the accounts for transportation of convicts there delivered.

Yours, very respectfully,

JOHN J. ADAM,

*Auditor General.*

On motion of Mr. Hawley,

The foregoing communication and accompanying document were laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, February 16, 1849.*

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the report of the committee of conference on the disagreement between the two Houses on the amendment of the House to the Senate substitute for House joint resolution relative to the claim of John W. Palmer; also,

That the Senate have concurred in the report of the committee of conference on the disagreement between the two Houses on House joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico.

Respectfully, &c.

W. L. BANCROFT,

*Secretary of the Senate.*

On motion of Mr. Ferguson,

*Resolved*, That on and after Monday next, the House will hold two sessions a day, commencing at half past nine o'clock A. M., and half past two P. M.

On motion of Mr. Hawley,

The joint resolution relative to the claim of Alexander Titchworth was taken from the table and after some debate,

Mr. Chittenden moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question being on ordering the bill to be engrossed and read the third time, was then taken and decided in the affirmative, by the following vote:

YEAS.

Mr. Allen,	Mr. A. Gillet,	Mr. Moran,
Andrews,	M. S. Gillett,	Mulhollen,
Bowne,	Haight,	O'Malley,
Buck,	Hartsuff,	Parkhurst,
Burk,	Hawley,	Salzer,
Cady,	Hobart,	Stevens,
Chittenden,	Holmes,	Stoddard,
Coe,	Ingersoll,	Tilden,
Coman,	Kilborn,	J. W. Turner,
Curtis,	Lockwood,	Tuttle,
O. C. Comstock,	Lovell,	Waite,
Dayton,	Matthews,	Wilkinson,
Earl,	McNair,	Wright,

Fox,  
Giddings,McNeil,  
Moffat,

Speaker

44.

## NAYS.

Mr. Bacon,  
Belding,  
Chamberlain,Mr. H. H. Comstock, Mr. Pennoyer,  
Harger, Turrill,

7

The engrossment having been dispensed with, the joint resolution was placed on the order of bills for a third reading.

On motion of Mr. Ingersoll,

*Resolved*, That the report of the Attorney General on the constitutional vote requisite for the passage of acts of incorporations, be made the special order for this afternoon, and that when this House adjourns it will adjourn to meet at half past two o'clock, P. M.

On motion of Mr. J. W. Turner,

The committee of the whole were discharged from the further consideration of the joint resolution relative to the claim of John M. Van Aikin, and the same being under consideration,

Mr. J. W. Turner moved that it be amended by inserting after the word "treasury" in the third line, the words "to the credit of the internal improvement fund."

The joint resolution was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. Parkhurst gave notice that he would on some future day ask leave to introduce a joint resolution.

Mr. Pennoyer offered the following resolution.

*Resolved*, That the committee on the judiciary be instructed to report a bill requiring officers and members of the legislature to verify by affidavit, the number of days they have been in attendance upon, and during each session of the legislature, before they shall be entitled to their pay, and in all respects to make the provisions of the bill accord with section ninety-five of chapter sixteen of the revised statutes of 1846.

On motion of Mr. Earl,

The resolution was laid on the table.

Mr. Bacon offered the following concurrent resolution, which was laid on the table, under the rule.

*Resolved*, (the Senate concurring,) That this legislature will adjourn on Monday, the fifth day of March next.

Mr. Hobart gave notice that on some future day he would ask

leave to introduce a bill to incorporate the Battle Creek and Dry Prairie plank road company.

The joint resolution relative to the claim of Alexander Titchworth, was read the third time, when

Mr. H. H. Comstock moved that it be laid on the table, which motion was lost.

The joint resolution was then passed, by the following vote:

## YEAS.

Mr. Allen,	Mr. M. S. Gillett,	Mr. Mulhollen,
Andrews,	Haight,	O'Malley,
Bowne,	Hartsuff,	Parkhurst,
Buck,	Hawley,	Salver,
Burk,	Hobart,	Smith,
Cady,	Holmes,	Stevens,
Chittenden,	Ingersoll,	Stoddard,
Coman,	Kilborn,	Tilden,
Curtis,	Lockwood,	J. W. Turner,
Dayton,	Lovell,	Tuttle,
Earl,	Matthews,	Waite,
Fox,	McNair,	Wilkinson,
Giddings,	Moffatt,	Wright,
A. Gillet,	Moran,	Speaker, 42

## NAYS.

Mr. Bacon,	Mr. H. H. Comstock,	Mr. Pennoyer,
Belding,	Harger,	Turrill,
Chamberlain,		7

The joint resolution relative to the claim of John M. Van Aikin, was read the third time and passed.

The bill to authorize the improvement of the Kalamazoo river and for other purposes, was read the third time, when

Mr. Giddings moved a call of the House, which was had, when it was found that Messrs. Ferguson, Ingersoll and Lockwood were absent without leave.

On motion of Mr. Giddings,

The Sergeant-at-Arms was sent after the absentees.

Some of the absentees having returned,

On motion of Mr. Pennoyer,

All further proceedings under the call were dispensed with.

Mr. Tuttle moved an adjournment, which motion was lost.

Mr. Wright moved the previous question, which was demanded, and



The main question was ordered to be now put, by the following vote:

## YEAS.

Mr. Allen,	Mr. Fox,	Mr. Moran,
Andrews,	Giddings,	Mulhollen,
Bacon,	A. Gillet,	O'Malley,
Bowne,	Harger,	Pennoyer,
Buck,	Hartsuff,	Salzer,
Burk,	Hawley,	Stevens,
Cady,	Hobart,	Stoddard,
Chamberlain,	Holmes,	Tilden,
Coman,	Ingersoll,	J. W. Turner,
H. H. Comstock,	Kilborn,	Turrill,
O. C. Comstock,	Lockwood,	Waite,
Curtis,	Matthews,	Wilkinson,
Dayton,	McNeil,	Wright,
Earl,	Moffatt,	Speaker,
Ferguson,		

43

## NAYS.

Mr. Belding,	Mr. M. S. Gillett,	Mr. Parkhurst,
Chittenden,	Lovell,	Tuttle,
Coe,	McNair,	

8

The main question being on the passage of the bill, was then taken and decided in the affirmative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Earl,	Mr. Moffatt,
Andrews,	Ferguson,	Moran,
Bacon,	Giddings,	Mulhollen,
Bowne,	A. Gillet,	O'Malley,
Buck,	Hartsuff,	Salzer,
Coe,	Hobart,	Stevens,
Coman,	Ingersoll,	Stoddard,
H. H. Comstock,	Lockwood,	Tilden,
O. C. Comstock,	Matthews,	Waite,
Dayton,		

28

## NAYS.

Mr. Belding,	Mr. Haight,	Mr. Parkhurst,
Burk,	Harger,	Pennoyer,
Cady,	Hawley,	J. W. Turner,
Chamberlain,	Holmes,	Turrill,
Chittenden,	Kilborn,	Tuttle,
Curtis,	Lovell,	Wilkinson,
Fox,	McNair,	Wright,
M. S. Gillett,	McNeil,	Speaker,

24

On motion of Mr. Chamberlain,  
The House adjourned.

## AFTERNOON SESSION.

*Half past two o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker, and

Having arrived at the order of unfinished business, took up for consideration, the bill to incorporate the St. Joseph river navigation company, and the first amendment reported thereto by the committee of the whole was non-concurred in, and the remainder of the amendments were severally concurred in.

Mr. Holmes moved to amend section four by striking out all after the word "same," in the third line, which amendment was rejected.

Mr. Haight moved that section three be amended by striking out of the second and third lines, the words "and upon the lands on either side, and to use the rocks, stones, gravel or earth which may be found thereon, in the construction of their works, first giving notice to the owners or occupiers of the land," which motion was lost.

On motion of Mr. Coe,

The bill was laid on the table.

The joint resolutions relative to the selection of public lands were taken up, and the question being on concurring in the amendment, reported by the committee of the whole, it was concurred in.

Mr. J. W. Turner moved that the joint resolutions be laid on the table, which motion was lost, and they were ordered to be read the third time.

The bill to incorporate the Frederick and Utica plank road company, was taken up, and

On motion of Mr. Cady,

Laid on the table.

The House having arrived at the special order took up the bill to amend the charter of the city of Detroit, when

Mr. Ingersoll moved that the House resolve itself into a committee of the whole on the bill, which motion prevailed, and

The House thereupon went into committee of the whole on the bill to amend the charter of the city of Detroit, Mr. J. W. Turner in the chair, and after spending some time thereon, the committee rose and through their chairman reported the bill back with sundry amendments in which the concurrence of the House was asked, which report was accepted.

On motion of Mr. Hawley,

The amendments were concurred in, in gross.

Mr. Coe moved that section sixteen be stricken out and the following inserted:

"Sec. 16. The provisions of this act shall be submitted to the qualified electors of said city at the next charter election to be held therein, by giving four days previous notice thereof, pursuant to the provisions of existing laws; and if a majority of said electors vote in favor thereof, then this act shall become a law; and if such majority vote against the same, then this act shall be null and void; and in case a majority of such electors vote in favor of the provisions of this act, an election under the same may be held within ten days thereafter, under such regulations as the common council may prescribe."

Which amendment was rejected by the following vote:

#### YEAS.

Mr. Buck,	Mr. Giddings,	Mr. Lovell,	
Chamberlain,	A. Gillet,	Turrill,	
Coe,	M. S. Gillett,	Waite,	
Dayton,	Haight,		11

#### NAYS.

Mr. Allen,	Mr. Ferguson,	Mr. Mulhollen,	
Andrews,	Hartsuff,	O'Malley,	
Bacon,	Harger,	Parkhurst,	
Belding,	Hawley,	Pennoyer,	
Bowne,	Hobart,	Salzer,	
Burk,	Holmes,	Stevens,	
Cady,	Ingersoll,	Stoddard,	
Chittenden,	Kilborn,	Tilden,	
Coman,	Lockwood,	J. W. Turner,	
Curtis,	Matthews,	Tuttle,	
H. H. Comstock,	McNair,	Wilkinson,	
O. C. Comstock,	McNeil,	Wright,	
Earl,	Moffatt,	Speaker,	
Fox,	Moran,		41

On motion of Mr. J. W. Turner,

The second line of section one was amended by striking out the word "shall" and inserting "may."

Mr. Stevens moved that section sixteen be amended by inserting the words "and be in force," after "effect."

The bill was then ordered to be read the third time,

The communication from the Attorney General relative to the le-

gal construction of section two of article twelve of the constitution, in reply to a resolution of the House, was taken up, when

Mr. Ingersoll offered the following resolution:

*Resolved*, (as the sense of this House,) That two-thirds of the members present, being a quorum for the transaction of business, have the constitutional right by their vote to pass an act of incorporation, or to alter or change any one heretofore created.

Which resolution was adopted by the following vote:

YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Matthews,
Bacon,	Fox,	Moffatt,
Belding,	Giddings,	Mulhollen,
Bowne,	A. Gillet,	O'Malley,
Buck,	M. S. Gillett,	Parkhurst,
Burk,	Haight,	Salzer,
Cady,	Harger,	Stevens,
Chittenden,	Hartsuff,	Stoddard,
Coe,	Hawley,	Tilden,
Coman,	Hobart,	J. W. Turner,
H. H. Comstock,	Ingersoll,	Turrill,
O. C. Comstock,	Kilborn,	Tuttle,
Curtis,	Lockwood,	Waite,
Dayton,	Lovell,	Wright,

42.

NAYS.

Mr. Allen,	Mr. McNair,	Mr. Pennoyer,
Chamberlain,	McNeil,	Wilkinson,
Ferguson,	Moran,	Speaker,
Holmes,		

10

On motion of Mr. Wright,

The House adjourned.

*Saturday, February 17, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Campbell, David, Davis, Deming, Flower, Hatch, Morton, Mosher, Smith, St. Clair and G. B. Turner were absent on leave, and Mr. H. H. Comstock was absent without leave.

On motion of Mr. Ingersoll;

The action of the rule requiring the reading of the journal was suspended, and the reading dispensed with.

Mr. Ingersoll, asked and obtained leave of absence for A. W. Hovey, Clerk of the House of Representatives, for an indefinite period.

Mr. Chittenden, by unanimous consent of the House, offered the following resolution, which was adopted:

*Resolved*, That Charles Smith be and he is hereby appointed Clerk *pro tempore* of this House, to act during the absence of the regular Clerk.

#### PETITIONS PRESENTED.

By Mr. Hammond, of L. H. Ion and others relative to laying out a state road in Eaton county; referred to the committee on roads and bridges.

By Mr. Lovell, of Ethan S. Johnson and sixty-one others; of A. F. Carr and thirteen others; of Samuel Dexter and thirty-one others, praying for an extension of the charter of the Farmers' and Mechanics' bank of Michigan; which were severally laid on the table.

Mr. Ferguson, from the committee on the judiciary, to whom was referred Senate bill to amend section thirty-four of chapter one hundred and thirty-four of the revised statutes of 1846,

Reported the same back without amendment, recommended its passage, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the petition of the district board of school district number eight, in the township of Ransom, in the county of Hillsdale, praying for the passage of an act to legalize certain proceedings of said district, reported the same back accompanied by a bill entitled a bill for the relief of school district number eight, of the township of Ransom, in the county of Hillsdale, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill was read twice, referred to the committee of the whole, placed on the general order and ordered to be printed.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred Senate bill to incorporate the grand lodge of free and accepted masons of the state of Michigan, reported the same back accompanied by a written report as follows:

The minority of the committee to whom was referred Senate bill number fifty-five, entitled "a bill to incorporate the grand lodge of free and accepted masons of the state of Michigan," hoping that a brief expose of the leading objections to the bill will create no excitement in the House or out of it, your committee beg leave to call the attention of the House to section second, by the provisions of which the incorporation would have power to hold twenty thousand dollars worth of real estate, and an unlimited amount of all other kinds of property—for uses and purposes unrevealed by the bill and unknown. There is no provision in the charter for any alteration, amendment or repeal by future legislation—it is evidently intended for a perpetual charter unlimited in its monied power and secret in the exercise of its prerogative.

Your committee cannot see the necessity of a charter to secure a company in business or social transactions, if they be secret transactions, because if not known they cannot be disturbed. If the charter is asked to give a popular sanction to the organization of the society, then the legislature should be satisfied that its influences would be beneficial; that no exclusive privileges are granted; that the principles of the society are in accordance with the spirit and genius of American institutions, dispensing equal rights to all; that no social or national evil can arise from the exercise of its chartered rights.

Your committee not being able to judge of these things at the present time, because uninitiated, and believing it would be a dangerous precedent to give a corporation such unlimited power with the right to exercise it at will; believing that it is unmanly and debasing to approve of measures that cannot be sanctioned by the judgment because not presented to the mind, report adverse to the passage of the bill, all of which is respectfully submitted.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, to whom was referred the bill to authorize Jacob Barns, guardian of Cornelius Barns, to sell certain real estate, reported the same back with amendments, in which they asked the concurrence of the House, and to be discharged from further consideration of the subject.

The report was accepted, the committee discharged, and the bill

with amendments referred to the committee of the whole and placed on the general order.

The Speaker announced the following communication from the Governor:

EXECUTIVE OFFICE,  
Lansing, February 16th, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to attach a part of the township of Rives, in the county of Jackson, to the township of Henrietta;

Also an act to amend an act entitled an act to incorporate the Monroe and Erie plank road company.

EPAPHRO. RANSOM.

Also the following from the Attorney General:

OFFICE OF THE ATTORNEY GENERAL,  
Lansing, February 17, 1849. }

Hon. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

DEAR SIR:—I beg leave herewith to transmit to the House of Representatives a reply to their resolution asking a statement of the terms and conditions of the settlement made by the state with the Detroit and Pontiac railroad company.

I have been prevented by other pressing duties from making an earlier reply.

I have the honor to be,

Your most ob't servant,

GEO. V. N. LOTHROP,

*Attorney General.*

The report accompanying the foregoing communication was laid on the table and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 17, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to amend an act entitled an act to incorporate the Kalamazoo and Three rivers plank company, which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill named in the foregoing communication was read twice and referred to the committee on banks and incorporations.

Mr. J. W. Turner, from the committee on banks and incorporations, by unanimous consent of the House, reported a bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847; which was read twice, referred to the committee of the whole, placed on the general order and ordered to be printed.

On motion of Mr. Pennoyer,

The bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes, was taken from the table, and

On motion of Mr. J. W. Turner,

Referred to the committee of the whole and placed on the general order.

Mr. O'Malley moved a reconsideration of the vote by which was passed yesterday, a bill to authorize the improvement of the Kalamazoo river, and for other purposes.

On motion of Mr. Ingersoll,

A call of the House was ordered, and Messrs. H. H. Comstock and Lockwood were absent without leave.

Mr. Bowne moved that the Sergeant-at-Arms be directed to bring in the absentees; but

On motion of Mr. Chamberlain,

All further proceedings under the call were dispensed with.

The motion to reconsider the vote on the above named bill being under consideration, Mr. Hawley moved to lay the motion to reconsider on the table, which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Lovell,
Andrews,	Earl,	Matthews,
Bacon,	Ferguson,	Moffatt,
Bowne,	Giddings,	Moran,
Buck,	A. Gillet,	Mulhollen,
Cady,	Haight,	Salter,
Chittenden,	Hammond,	Stevens,
Coe,	Hawley,	Stoddard,
Coman,	Hobart,	Waite,
O. C. Comstock,	Ingersoll,	Speaker,
Curtis,		



## NAYS.

Mr. Belding,	Mr. Kilborn,	Mr. Tilden,
Burk,	McNair,	J. W. Turner,
Chamberlain,	McNeil,	Turrill,
Fox,	O'Malley,	Tuttle,
M. S. Gillett,	Parkhurst,	Wilkinson,
Hartsuff,	Pennoyer,	Wright,
Holmes,		

19

Mr. J. W. Turner moved a reconsideration of the last vote, which motion the Speaker decided to be out of order, the vote laying the motion to reconsider on the table being equivalent to a refusal to reconsider it.

The motion was then withdrawn.

Mr. Moffatt moved an adjournment, but the House refused to adjourn, by the following vote:

## YEAS.

Mr. Allen,	Mr. Ferguson,	Mr. Ingersoll,
Andrews,	Giddings,	Lockwood,
Belding,	A. Gillet,	Moffatt,
Bowne,	Hammond,	Salzer,
Earl,	Holmes,	

14

## NAYS.

Mr. Bacon,	Mr. Harger,	Mr. Parkhurst,
Buck,	Hartsuff,	Pennoyer,
Burk,	Hawley,	Stevens,
Cady,	Hobart,	Stoddard,
Chamberlain,	Kilborn,	Tilden,
Coe,	Lovell,	J. W. Turner,
Coman,	Matthews,	Turrill,
Curtis,	McNair,	Tuttle,
O. C. Comstock,	McNeil,	Waite,
Dayton,	Moran,	Wilkinson,
Fox,	Mulhollen,	Wright,
M. S. Gillett,	O'Malley,	Speaker,
Haight,		

37

Mr. J. W. Turner moved to take from the table the motion to reconsider the vote by which the bill last above named was passed, which did not prevail, the vote thereon being as follows:

## YEAS.

Mr. Allen,	Mr. Harger,	Mr. Pennoyer,
Bacon,	Hartsuff,	Stevens,
Belding,	Holmes,	J. W. Turner,
Burk,	Kilborn,	Turrill,
Chamberlain,	McNair,	Tuttle,
Coman,	McNeil,	Wilkinson,

Fox,  
M. S. Gillett,

O'Malley,  
Parkhurst,

Wright,  
Speaker,

24

## NAYS.

Mr. Andrews,  
Bowne,  
Buck,  
Cady,  
Chittenden,  
Coe,  
Curtis,  
O. C. Comstock,  
Dayton,

Mr. Earl,  
Ferguson,  
Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Hawley,  
Hobart,  
Ingersoll,

Mr. Lovell,  
Matthews,  
Moffatt,  
Moran,  
Mulhollen,  
Salzer,  
Tilden,  
Waite,

26

Mr. Parkhurst moved to reconsider the vote by which the House yesterday passed the following resolution:

*Resolved*, (as the sense of this House,) That two-thirds of the members present, being a quorum for the transaction of business, have the constitutional right by their vote to pass an act of incorporation, or to alter or change any one heretofore created.

The question was then taken on a reconsideration, and decided in the negative, as follows:

## YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Chamberlain,

Mr. Holmes,  
McNair,  
McNeil,  
Moran,

Mr. Parkhurst,  
Pennoyer,  
Wilkinson,  
Speaker,

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## NAYS.

Mr. Belding,  
Bowne,  
Buck,  
Burk,  
Cady,  
Chittenden,  
Coe,  
Coman,  
Curtis,  
O. C. Comstock,  
Dayton,  
Earl,  
Ferguson,

Mr. Fox,  
Giddings,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,  
Hobart,  
Ingersoll,  
Kilborn,  
Lovell,

Mr. Matthews,  
Moffatt,  
Mulhollen,  
O'Malley,  
Salzer,  
Stevens,  
Stoddard,  
Tilden,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wright,

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Mr. Hobart, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Battle Creek and Dry Prairie plank road company, which was read twice and referred to the committee on banks and incorporations.

The committee on engrossment and enrollment, by consent of the House, reported as correctly enrolled,

A joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico, and presented this day to the Governor for his approval.

Mr. Chamberlain offered the following resolution:

*Resolved*, That it is the opinion of this House that no act of incorporation should be passed unless two-thirds of all the members elected to each House shall vote thereon.

The resolution was laid upon the table by the following vote:

## YEAS.

Mr. Belding,	Mr. Earl,	Mr. Matthews,
Bowne,	Fox,	McNair,
Buck,	A. Gillet,	Moffatt,
Burr,	M. S. Gillett,	Mulhollen,
Cady,	Haight,	Salzer,
Chittenden,	Hammond,	Stevens,
Coe,	Hartsuff,	J. W. Turner
O. C. Comstock,	Hawley,	Tuttle,
Curtis,	Hobart,	Waite,
Dayton,	Lovell,	

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## NAYS.

Mr. Allen,	Mr. Holmes,	Mr. Parkhurst,
Andrews,	Ingersoll,	Pennoyer,
Bacon,	Kilborn,	Tilden,
Chamberlain,	Lockwood,	Turrill,
Coman,	McNeil,	Wilkinson,
Ferguson,	Moran,	Wright,
Giddings,	O'Malley,	Speaker,

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Mr. Stevens moved that the House do now adjourn, which was not agreed to.

Mr. Hartsuff, pursuant to previous notice, asked and obtained leave to introduce a bill to amend chapter fifty-eight of the revised statutes of 1846;

Which was read twice and referred to the committee on the judiciary.

On motion of Mr. Bacon,

The concurrent resolution offered by him yesterday, relative to the adjournment of the legislature, was taken from the table, and without action thereon again laid on the table.

Mr. Hawley moved to take from the table the resolution limiting the time for the reception of new business and reports of standing

committees, by the House, together with the substitute therefor; which motion did not prevail.

On motion of Mr. J. W. Turner,

Leave was granted to John M. Van Aikin, to withdraw a certain claim from the files of the House.

On motion of Mr. Coe,

- The bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, was taken from the table and referred to the committee on banks and incorporations.

On motion of Mr. Kilborn,

The committee of the whole were discharged from the further consideration of joint resolution requiring reports from certain special commissioners, and the same was made the special order for Monday next.

Mr. Hobart gave notice that on some future day he will ask leave to introduce a bill to incorporate a company to construct a railroad from the village of Marshall to the village of Constantine, in St. Joseph county.

Mr. Chittenden gave notice that he will on some future day ask leave to introduce a bill to change the boundaries of the towns of Hamtramck and Grosse Point, in the county of Wayne.

#### THIRD READING OF BILLS.

Senate bill to amend the charter of the city of Detroit was read the third time and passed by a two-thirds vote, as follows:

#### YEAS.

Mr. Andrews,	Mr. Fox,	Mr. Moffatt,
Bacon,	A. Gillet,	Moran,
Belding,	Haight,	Mulhollen,
Bowne,	Hammond,	O'Malley,
Buck,	Harger,	Parkhurst,
Burk,	Hartsuff,	Pennoyer,
Cady,	Hawley,	Salzer,
Chittenden,	Hobart,	Stevens,
Coe,	Holmes,	Stoddard,
Coman,	Ingersoll,	Tilden,
O. C. Comstock,	Kilborn,	Tuttle,
Curtis,	Lockwood,	Waite,
Dayton,	Lovell,	Wilkinson,
Earl,	Matthews,	Wright,
Ferguson,	McNair,	Speaker,

45

#### NAYS.

0

Senate joint resolutions relative the the selection of public lands was read the third time, and

On motion of Mr. Ingersoll,

Recommitted to the committee on public lands with instructions to make such amendments as they shall deem proper.

The House then resolved itself into committee of the whole on a bill to amend an act entitled an act to incorporate the Mt. Clemens and Romeo plank road company, Mr. Ingersoll in the chair.

After some time spent thereon the committee rose and through their chairman, reported that they had had under consideration the above entitled bill to which they had made an amendment, in which the concurrence of the House was asked, and from the further consideration of which the committee asked to be discharged.

The report was accepted, the committee discharged and the amendment concurred in.

On motion of Mr. Ingersoll,

The rule was suspended so as to allow the bill to be read the third time and put upon its passage without being engrossed; and the bill was read the third time and passed by a two-thirds vote, as follows:

#### YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Moffatt,
Andrews,	A. Gillet,	Moran,
Bacon,	M. S. Gillett,	Mulhollen,
Belding,	Haight,	O'Malley,
Bowne,	Hammond,	Parkhurst,
Buck,	Hartsuff,	Pennoyer,
Burk,	Hobart,	Salyer,
Cady,	Holmes,	Stevens,
Chittenden,	Ingersoll,	Stoddard,
Coe,	Kilborn,	Tilden,
Coman,	Lockwood,	Turrill,
Curtis,	Lovell,	Tuttle,
O. C. Comstock,	Matthews,	Waite,
Dayton,	McNair,	Wilkinson,
Earl,	McNeil,	Speaker,
Ferguson,		

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#### NAYS.

Mr. Fox,	Mr. Wright,
On motion of Mr. O. C. Comstock,	
The House adjourned.	

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*Monday, February 19, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. O. C. Comstock.

The roll was called, and Messrs. David, Davis, Flower, Hatch, Morton, Mosher, Smith, St. Clair and G. B. Turner were absent on leave, and Messrs. Allen, Belding, Cady, H. H. Comstock, O'Malley and Waite, absent without leave.

Leave of absence was asked and obtained for Mr. Waite, for an indefinite period; and for Mr. Belding, Mr. Allen, Mr. Comstock, Mr. O'Malley and Mr. Giddings, severally for the day.

The journal of Saturday was read and corrected.

#### PETITIONS PRESENTED.

By Mr. Lovell, of Annanias Worden and forty-seven others, for an appropriation of internal improvement lands to improve the navigation of Flat river, in the county of Ionia; referred to the committee on public lands.

By Mr. Andrews, of F. H. Stevens and others, of the county of Van Buren, asking the passage of an act to incorporate the Decatur, Lawrence, and Breedsville plank road company; referred to committee on banks and incorporations.

By Mr. O. C. Comstock, of the executive committee of the board of regents, of the university of Michigan, praying for the passage of an act requiring the commissioner of the state land office to make an annual report to said board of regents of the sales of university lands; referred to the committee on education.

Mr. Deming, from the committee on roads and bridges, to whom was referred the petition of Asquire W. Aldrich and others, reported the same back accompanied by a bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb, and asked to be discharged from further consideration of the subject.

The report was accepted, the committee discharged, and the bill ordered to be printed, referred to the committee of the whole and placed on the general order.

The following message was received from the Executive:

EXECUTIVE OFFICE,  
Lansing, February 17, 1849.

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

A joint resolution authorizing the settlement of certain claims growing out of the raising, subsisting and mustering into service of the Michigan volunteer regiment called to serve in the late war with Mexico.

EPAPHRO. RANSOM.

The Speaker announced the following communication from the Secretary of State:

OFFICE OF THE SECRETARY OF STATE,  
Lansing, February 17, 1849.

Hon. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

I have the honor to transmit herewith an abstract of the reports of the superintendents of the poor for the several counties of this State for the year 1849, as far as the same has been received at this office.

This abstract has been delayed in consequence of the neglect of the superintendents of several counties to file their reports within the time prescribed by law.

Respectfully yours,

GEO. W. PECK,

*Secretary of State.*

The report accompanying the foregoing communication was laid on the table and ordered to be printed.

On motion of Mr. Lovell,

The petition of Ethan S. Johnson and others; of A. F. Carr and others, and of Samuel Dexter and others, asking for an extension of the charter of the Farmers' and Mechanics' bank, were severally taken from the table and referred to the committee on banks and incorporations.

Mr. Parkhurst offered the following resolution:

*Resolved*, That Johnson Niles, Esq., be and he is hereby authorized and empowered to proceed immediately to the county of Macomb and bring forthwith the Hon. Mr. Flower, a member of the House.

On motion of Mr. Chamberlain,

The resolution was amended by adding after "Esq." in the first line, the words, "speaker of the third house."

The resolution as amended was then laid on the table.

Mr. Pennoyer moved that the vote granting leave of absence to Mr. Flower be reconsidered.

Mr. Fox offered as a substitute for the motion of Mr. Pennoyer, the following resolution:

*Resolved*, That the vote of this House by which indefinite leave of absence was granted to Mr. Flower, be and the same is hereby rescinded, and that the Speaker in drawing his certificate for pay, for his services, be directed to certify to the amount of time only that he has attended the sessions of this House.

Before taking the question on the adoption of the substitute,

On motion of Mr. O. C. Comstock,

The whole subject was laid on the table.

On motion of Mr. Ingersoll,

The bill to incorporate the Minnesota mining company, and the bill to incorporate the North-Western mining company of Michigan, were severally taken from the table, and recommitted to the committee on mines and minerals with instructions to make such amendments there-to as they shall deem proper.

Mr. Kilborn gave notice that he will on some future day ask leave to introduce a bill to authorize the Auditor General to procure certain maps.

Mr. Hawley gave notice that on some future day he will ask leave to bring in a bill to amend the election laws of this state.

On motion of Mr. Coe,

The House resolved itself into committee of the whole on the special order, being joint resolution requiring reports from certain special commissioners, Mr. J. W. Turner in the chair.

After a short time spent thereon, the committee rose and reported the joint resolution above named back to the House, with sundry amendments thereto, in which they asked the concurrence of the House and to be discharged from its further consideration.

The report was accepted, the committee discharged and the amendments concurred in.

The joint resolution was then ordered to be engrossed and read the third time.

On motion of Mr. Hawley,



The rule requiring bills to lay over one day before being read the third time, was suspended, and the joint resolution was read the third time and passed.

The House then resolved itself into committee of the whole, on the general order, Mr. Chamberlain in the chair.

After some time spent thereon the committee rose, and through their chairman, reported back without amendment, a bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846; and

A bill to authorize the assessors of the second ward of the city of Monroe to levy a certain tax;

And with amendment, in which the concurrence of the House was asked, a bill to incorporate the Temple building company of Battle Creek; a joint resolution relative to the settlement of a claim of Cyrus Howard, from the further consideration of all which they asked to be discharged.

The committee, through their chairman, further reported that they had had under consideration a bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, upon which they had made some progress and asked leave to sit again.

The report was accepted and the committee discharged as to the three bills and the joint resolution first named, and leave was granted to sit again in consideration of the bill last named.

The first and second named bills reported back by the committee of the whole, were severally ordered to be engrossed and read the third time.

The amendment to the third named bill was concurred in, and the bill as amended was ordered to be engrossed and read the third time.

The amendment to the above entitled joint resolution, which was to strike out all after the enacting clause, was concurred in, and the enacting clause was indefinitely postponed.

Mr. Ingersoll, from the committee on mines and minerals, to whom was referred with certain instructions, the bills incorporating the Minesota mining company, and the North-West mining company, having had the same under consideration, as their chairman, reported as follows:

Amend the bill to incorporate the Minesota company by reinsta-

ting the word "state," in the eighth line of section four, and also by restoring section six of said bill as originally printed.

Amend bill to incorporate the North-Western mining company, by striking out the word "southern" in section five, and reinstating in lieu thereof the word "Pontiac." Strike out section seven as amended, and reinsert the original section as far as the word "company," in the fourth line—inserting after the word "company," in the second line, the words, "for all claims and demands against said company." Amend section nine by inserting after the word "offices" in the second line, the words "one of which shall be in this state." Amend section four by striking out all after the word "company" in the tenth and eleventh lines, and insert the following: "and said tax shall be in lieu of all other state taxes upon the personal and real estate of said company."

The committee would here deem it proper to give their reasons briefly why they recommend the reinstating of the sections in each bill as originally printed on the subject of liens.

*First.* Because such section as it now stands renders the whole property of a company liable to a lien, in favor of the people of Michigan, to an indefinite amount and for an indefinite sum. It in fact, amounts to a perpetual mortgage for an unascertained amount of debt.

*Second.* Because it will tend to encourage these companies in incurring debts for labor, and the laboring men to give long credits for large sums, when it is due to the laborer to ensure short credits, and prompt payments.

*Third.* Because it places these companies upon a footing of inequality with the companies heretofore chartered. Privileges granted to one should be granted to all, or legislation becomes unequal, and of course unjust.

The report was accepted and the committee discharged.

Mr. McNeil moved to lay the bill with the amendments on the table, but before taking the question thereon,

On motion of Mr. Ingersoll,

The House adjourned till half past two o'clock, P. M.

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AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

The motion to lay upon the table the bill to incorporate the Minnesota mining company; and

The bill to incorporate the North-West mining company of Michigan, with the amendments thereto, which was pending when the House adjourned, was withdrawn.

The amendments reported by the committee on mines and minerals to the first of the above named bills being under consideration, the first amendment was,

On motion of Mr. Ingersoll,

So amended as to strike out the word "other" in the eighth line of section four of the bill, and also to strike out the words, "property of said company," and the words "in lieu of all other state taxes on the" in the ninth line of said section.

The amendment as amended was then concurred in.

The second amendment, which was to restore section six of the bill as originally printed, was concurred in, and

The bill was ordered to be engrossed and read the third time.

The amendments reported by the committee on mines and minerals to the bill to incorporate the North-West mining company of Michigan, being under consideration, they were severally concurred in.

On motion of Mr. Ingersoll,

The bill was further amended by striking out in line six of section four, the word "January" and inserting in lieu thereof the word "July;" also, by striking out in line eight of the same section the word "December" and inserting "January."

On motion of Mr. Coe,

Section seven of the bill was amended by adding thereto the following:

And any person may enforce said lien by filing with any court having jurisdiction thereof, an affidavit showing to the satisfaction of said court that he has a claim under the provisions of this section, and such court may thereupon issue an attachment against the property of such company, and the same proceedings may be thereupon had as in other cases.

On motion of Mr. Ingersoll,

The bill was further amended by adding to section five the following proviso:

*Provided*, That if a plank road shall be deemed most advisable by said company, the said road shall be made and governed in all

respects by the act incorporating the Detroit and Birmingham plank road company of this state, so far as the same may be applicable.

The bill as amended was then ordered to be engrossed and read a third time.

On motion of Mr. Ingersoll,

The vote ordering the bill to incorporate the Minnesota mining company to be engrossed and read the third time, was reconsidered; and

The bill was further amended by adding to section seven the following:

And any person may enforce the said lien by filing with any court having jurisdiction thereof, an affidavit showing to the satisfaction of such court that he has a claim under the provisions of this section, and such court may thereupon issue an attachment against the property of such company, and the same proceedings may be thereupon had as in other cases.

The question again recurring upon ordering the bill to be engrossed and read the third time, it was put and decided in the affirmative.

The House resolved itself into committee of the whole, on the general order, Mr. Tilden in the chair.

When the committee rose, they through their chairman, reported back without amendment, a bill to enlarge the powers of the district board of school district number one, in the township of Jackson, in Jackson county;

And with amendments in which the concurrence of the House was asked,

A bill to incorporate the Siskoweit mining company of Michigan;

A bill to incorporate the Ohio Trap Rock mining company;

A bill to provide for a state board of equalization and for the apportionment of the state taxes, and for other purposes; and

A bill to authorize Almeron Newman, James Newman, Peter M. Kind, Asa C. Davis and William D. Dishro, to build a dam across Grand river, in the county of Ionia;

From the further consideration of all which they asked to be discharged.

The report was accepted and the committee discharged.

On motion of Mr. McNair,

The House adjourned.

*Tuesday, February 20, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. David, Davis, Flower, Hatch, Morton, Mosher, Smith, St. Clair and Waite were absent on leave, and Mr. Wilkinson was absent without leave.

Mr. Deming asked and obtained leave of absence for Mr. Wilkinson till Friday next.

The journal of yesterday having been read in part, Mr. Lockwood moved that the rule requiring the reading thereof be suspended, which was agreed to, and the further reading was dispensed with.

PETITIONS PRESENTED.

By Mr. Moran, of D. Corby and others, asking for a change of boundaries of the township of Grosse Point, which was referred to the committee on the organization of townships and counties.

By Mr. G. B. Turner, of Marcus Peck and fourteen other citizens of Cass county, praying an alteration in the tax law so that all non-resident and unpaid taxes shall be collected in the several counties in which the same may be levied; of Daniel Blish and twenty-two other citizens of said county, on the same subject; of H. C. Lybrook and thirty-four other citizens of said county, for the same purposes; and of Ezra Hatch and fifty-five other citizens of said county, for the same purpose, which were severally referred to the committee on ways and means.

By Mr. Kilborn, of W. R. Gilkey and others, asking for relief on a certain contract; referred to the committee on claims.

Mr. G. B. Turner, from the committee on claims, to whom was referred the petition of David Swan, asking payment for services for recruiting soldiers for the Mexican war, and the petition of Daniel Hicks, for the same purpose, reported said petitions back without action, and asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Mr. Deming, from the committee on roads and bridges, to whom was referred the petition of Stephen Dow and forty-nine others, of Lynden, in the county of Washtenaw, asking for the passage of an act legalizing the records of said township, reported the same back accompanied by a bill for the perfection of records of public highways,

and for other purposes, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged and the bill read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom was referred a petition and remonstrance of citizens of Van Buren county, relative to an appropriation of certain highway taxes, reported the same back accompanied by a bill appropriating certain highway taxes for the improvement of a road from the village of Paw Paw to Breeds-ville, in the county of Van Buren, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the bill read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The committee on engrossment and enrollment, reported as correctly engrossed:

A bill to incorporate the Temple building company of Battle Creek;

A bill to incorporate the North-West mining company of Michigan, and

A bill to incorporate the Minnesota mining company.

Mr. Ferguson, from the committee on the judiciary, to whom was referred a bill to amend chapter fifty-eight of the revised statutes of 1846, reported the same back without amendment, recommended its passage, and asked to be discharged.

The report was accepted, the committee discharged, and the bill ordered to be printed, referred to committee of the whole, and placed on the general order.

Mr. O. C. Comstock, from the committee on education, to whom was referred the petition of the executive committee of the board of regents of the Michigan university, reported the same back accompanied by a bill requiring the commissioner of the state land office to make an annual report to the regents of the university of Michigan, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ingersoll, from the committee on mines and minerals, to whom

was recommitted a bill to incorporate the Pittsburg and Isle Royal mining company; and

A bill to incorporate the Native copper mining company, reported said bills back with amendments, in which the concurrence of the House was asked, and that the committee be discharged.

Which report was accepted, the committee discharged, and the bills and amendments placed on the order of unfinished business.

The committee on engrossment and enrollment reported as correctly enrolled:

A bill to enlarge the corporate limits of the city of Detroit, and this day presented to the Governor for his approval.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 19, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the amendments of the House to the following entitled bills, and have ordered the same to be enrolled, viz:

A bill to authorize the improvement of the Kalamazoo river, and for other purposes;

A bill to amend the charter of the city of Detroit;

A bill to amend an act entitled an act to incorporate the Mt. Clemens and Romeo plank road company.

I am further instructed to return herewith concurrent resolution relative to the appointment of a joint committee to visit the state prison, and to respectfully inform you that the Senate have concurred therein with amendments, in which the concurrence of the House is respectfully asked.

I am further instructed to transmit herewith,

A bill authorizing the commissioner of the state land office to sell certain lots in the town of Lansing, and

Joint resolutions recommending a revision of the constitution of the state of Michigan,

Which the Senate have passed, and in which the concurrence of the House is respectfully asked

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

Senate amendment to the concurrent resolution authorizing the

appointment of a joint committee to visit the state prison, was concurred in.

Senate bill authorizing the commissioner of the state land office to sell certain lots in the town of Lansing, was read twice and referred to the committee on public lands.

Senate joint resolution recommending a revision of the constitution of the state of Michigan was read twice and referred to the committee on state affairs.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce a bill to attach certain portions of the township of Hamtramck to the township of Grosse Point, which was read twice and referred to the committee on the organization of townships and counties.

Mr. Hawley, pursuant to previous notice, asked and obtained leave to introduce a bill relative to elections; which was read twice and referred to the committee on the judiciary.

On motion of Mr. Chamberlain,

A bill authorizing Isaac N. Swain to erect and maintain a dam across the Paw Paw river, in Berrien county, was taken from the table, and the question being on concurring in the Senate amendment to said bill, the amendment was non-concurred in.

On motion of Mr. Cady,

Senate bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of range fourteen east, known as salt spring lands belonging to the state, was taken from the table, and

On motion of Mr. J. W. Turner,

Referred to the committee of the whole and placed on the general order.

Mr. Fox offered the following preamble and resolution:

*Whereas*, The members of this House have good reason to believe that the Hon. Mr. Flower, of Macomb, has abused the privilege heretofore granted him by this House, by his continued absence; therefore

*Resolved*, That the Sergeant-at-Arms be forthwith despatched to bring in the absentee.

Mr. G. B. Turner moved to lay the resolution on the table, which motion did not prevail.

On motion of Mr. Giddings,



A call of the House was had, and Mr. Bowne was reported absent without leave.

On motion of Mr. Ingersoll,

All further proceedings under the call were dispensed with, and the resolution under consideration was withdrawn.

Mr. Fox then offered the following resolution, which was adopted:

*Resolved*, That the vote of this House by which indefinite leave of absence was granted to Mr. Flower, be and the same is hereby rescinded.

Mr. Ingersoll submitted the following resolution:

*Resolved*, That Dr. L. Mott be appointed a special Sergeant-at-Arms of this House, to proceed after Mr. Flower, and bring him within the bar of this House.

Mr. Fox moved to amend the resolution so as to direct the Sergeant-at-Arms to bring in the absentee.

On motion of Mr. Chittenden,

The resolution was laid on the table, by the following vote:

#### YEAS.

Mr. Bowne,	Mr. Earl,	Mr. Matthews,
Buck,	Giddings,	Mulhollen,
Burk,	M. S. Gillett,	O'Malley,
Cady,	Haight,	Stevens,
Campbell,	Harger,	Stoddard,
Chittenden,	Hartsuff,	Tilden,
Coman,	Hawley,	G. B. Turner,
H. H. Comstock,	Hobart,	Tuttle,
O. C. Comstock,	Holmes,	Wright,
Curtis,	Kilborn,	Speaker,
Deming,		

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#### NAYS.

Mr. Allen,	Mr. Fox,	Mr. Moffatt,
Andrews,	A. Gillet,	Moran,
Bacon,	Hammond,	Parkhurst,
Belding,	Ingersoll,	Pennoyer,
Chamberlain,	Lovell,	Salzer,
Coe,	McNeil,	J. W. Turner,
Dayton,	McNair,	Turrill,
Ferguson,		

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Mr. J. W. Turner, offered the following resolution:

*Resolved*, That on Thursday, the twenty-second day of February inst., at twelve o'clock, M., the farewell address of George Washington will be read in this House, and that the Senate be requested to meet with the House, on that occasion, and that the Senate be further requested to elect a reader.

Mr. Hawley moved to amend the resolution by striking out "twelve o'clock M." and inserting "seven o'clock P. M.," which was not agreed to.

Mr. Hawley moved to amend by striking out the last clause of the resolution requesting the Senate to select a reader, which motion did not prevail.

On motion of Mr. Ferguson,

The resolution was so amended as to give the selection of a reader to the President of the Senate and the Speaker of the House, and

The resolution, as amended, was adopted.

Mr. Parkhurst offered the following resolution:

*Resolved*, That two thousand more extra copies of the report of the select committee on the propriety of calling a convention to revise the constitution of this state, be ordered printed for the members of this House.

Mr. Stevens moved to amend the resolution by striking out "two" before the word, "thousand," and inserting "one," which motion did not prevail.

The question was then taken on the adoption of the resolution and decided in the affirmative.

Mr. Chittenden gave notice that he will on some future day ask leave to introduce a bill to provide for payment of officers attending the courts of chancery.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to furnishing legislative documents to township libraries, which was read twice and referred to the committee on education.

A bill to incorporate the Minnesota mining company was read the third time and passed by a two-thirds vote, as follows:

#### YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Bowne,  
Buck,  
Campbell,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,

Mr. Fox,  
A. Gillet,  
M. S. Gillett,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,

Mr. McNair,  
McNeil,  
Moffatt,  
Moran,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Salyer,  
Stevens,  
Stoddard,

H. H. Comstock,	Kilborn,	Tilden,	
Curtis,	Lockwood,	J. W. Turner,	
Dayton,	Lovell,	Tuttle,	
Deming,	Matthews,	Speaker,	
Earl,			46.

## NAYS.

Mr. G. B. Turner,	1
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A bill to incorporate the North-West mining company of Michigan, was read a third time and passed by a two-thirds vote, as follows :

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. McNeil,	
Andrews,	Earl,	Moffatt,	
Bacon,	Fox,	Moran,	
Belding,	M. S. Gillett,	Mulhollen,	
Bowne,	Haight,	O'Malley,	
Buck,	Harger,	Parkhurst,	
Burk,	Hartsuff,	Pennoyer,	
Cady,	Hawley,	Salter,	
Campbell,	Hobart,	Stevens,	
Chittenden,	Holmes,	Stoddard,	
Coe,	Ingersoll,	Tilden,	
Coman,	Kilborn,	J. W. Turner,	
H. H. Comstock,	Lockwood,	Turrill,	
O. C. Comstock,	Lovell,	Tuttle,	
Curtis,	Matthews,	Speaker,	
Dayton,	McNair,		47.

## NAYS.

Mr. G. B. Turner,	Mr. Wright,	2
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A bill to incorporate the Temple building company was read the third time and passed by a two-thirds vote, as follows :

## YEAS.

Mr. Allen,	Mr. H. H. Comstock,	Mr. Lovell,	
Andrews,	O. C. Comstock,	Matthews,	
Bacon,	Deming,	McNair,	
Belding,	Earl,	McNeil,	
Bowne,	Fox,	Moffatt,	
Buck,	M. S. Gillett,	Moran,	
Burk,	Hammond,	Mulhollen,	
Cady,	Hartsuff,	Parkhurst,	
Campbell,	Hawley,	Pennoyer,	
Chamberlain,	Hobart,	Stoddard,	
Chittenden,	Ingersoll,	Tilden,	
Coe,	Kilborn,	Tuttle,	
Coman,	Lockwood,	Speaker,	
Curtis,			40.

## NAYS.

Mr. A. Gillet,	Mr. O'Malley,	Mr. J. W. Turner,
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Haight,  
Harger,  
Holmes,

Salzer,  
Stevens,  
G. B. Turner,

Turrill,  
Wright,

11

A bill to authorize the assessors of the second ward of the city of Monroe, to levy a certain tax, was read the third time and passed.

A bill to amend section fifty of chapter one hundred and eight of the revised statutes of 1846, being under consideration,

Mr. Parkhurst moved that it be laid on the table, which was not agreed to.

On motion of Mr. Chamberlain,

The bill was indefinitely postponed.

Mr. Allen moved an adjournment, but the House refused to adjourn.

Senate bill to enlarge the powers of the district board of school district number one, in the township of Jackson, Jackson county, was taken up and the engrossing having been dispensed with, it was placed on the order of bills for a third reading.

Senate bill to incorporate the Siskoweit mining company being under consideration, and

The question being on concurring in the amendments thereto reported by the committee of the whole,

They were severally concurred in, except the sixth, proposing to add a new section, which was non-concurred in.

On motion of Mr. Ingersoll,

The bill was further amended by inserting in the second line of section nine, after the word "act" the words "after the limitation thereof by a two-thirds vote."

The bill was ordered to be read the third time.

The House then adjourned till half-past two o'clock P. M.

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#### AFTERNOON SESSION.

The House met pursuant to adjournment, and was called to order by the Speaker.

By unanimous consent of the House,

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred a bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan Southern railroad company, reported the same back accompanied by

a report in writing, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, the bill and report laid upon the table, and the report ordered to be printed.

The House then resumed the consideration of unfinished business, and

The question being upon concurring in the amendment reported by the committee of the whole to the bill to authorize Almeron Newman, James Newman, Peter M. Kind, Asa C. Davis and William D. Disbro to build a dam across Grand river, in the county of Ionia, the same was concurred in.

Mr. Coe offered the following amendment, which was not adopted:

Add to section two the following: "*Provided also*, The said slide or sluice shall be so constructed as not to prevent the passage of fish up and through the same."

The bill was ordered to be engrossed and read the third time.

The amendments to a bill to provide for a state board of equalization and for the apportionment of the state taxes, and for other purposes, being under consideration,<sup>1</sup>

The first and second amendments were severally concurred in.

The question then being on concurring in the third amendment, which was to strike out all after the enacting clause,

Mr. Coe moved to amend the eighth section of the bill by striking out the whole of the first, second and third lines thereof, to, and including the word "and" in the fourth line, which amendment was adopted.

The question recurring upon striking out all after the enacting clause,

On motion of Mr. Coe,

The bill was recommitted to the committee on state affairs.

The amendments reported by the committee of the whole to the bill to incorporate the Ohio Trap Rock mining company, were severally concurred in; and

On motion of Mr. Ingersoll,

The bill was further amended by adding to section five the following:

*Provided*, That if a plank road shall be deemed most advisable by said company the said road shall be made and governed in all respects by the act incorporating the Detroit and Birmingham plank

road company as far as the same may be applicable; and the rates of toll not to exceed treble the amount of tolls charged by the said Detroit and Birmingham plank road company.

The bill was ordered to be read the third time.

The amendments reported by the committee on mines and minerals to the bill to incorporate the Native copper company; and to

The bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg,

Were severally concurred in, and said bills were severally ordered to be engrossed and read the third time.

Mr. Stevens moved that the House do now adjourn, which motion did not prevail.

The House resolved itself into committee of the whole on the general order, Mr. G. B. Turner in the chair.

After some time spent thereon, the committee rose and through their chairman reported that they had had under consideration a bill to extend for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, on which they had made some progress and asked leave to sit again.

Leave was granted.

On motion of Mr. Wright,

The House adjourned.

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*Wednesday, February 21, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Morton, Mosher, St. Clair, Smith and Waite were absent on leave, and Messrs. Flower, Hatch and Turrill were absent without leave.

Mr. Andrews asked and obtained leave of absence for the day, for Mr. Turrill.

On motion of Mr. Lockwood,

The action of the rule requiring the journal to be read was suspended, and the reading thereof was dispensed with.

Mr. Ingersoll presented the claim of Moses Hawks; of H. H. Duncklee & Co.; of John T. Bray & Co.; and of Nathy Kaminsky.

for publishing general orders, notices to township clerks, &c., which were severally referred to the committee on claims.

Mr. Hobart presented the petition of H. L. Williams and seventy others, asking for the incorporation of a company to construct a plank road from Battle Creek to some point in St. Joseph county, by the way of Dry Prairie, which was referred to the committee on banks and incorporations.

Mr. Ferguson presented the petition of E. B. Foot and others, to vacate a certain alley in the village of Albion, in the county of Calhoun; which was referred to the committee on roads and bridges.

Mr. Belding presented the remonstrance of David A. Rhoades and one hundred others, citizens of Oakland and Macomb counties, against the passage of any law authorizing the alteration of a road on section one, town two north of range eleven east, which was referred to the committee on roads and bridges.

Mr. O. C. Comstock presented the petition of sundry inhabitants of Lansing, praying that a law may be passed providing for the draining of certain blocks near the capitol; which was referred to the committee on public lands.

Mr. O. C. Comstock, from the committee on education, to whom was referred joint resolution relative to furnishing legislative documents to township libraries, reported the same back, recommended its passage, and asked to be discharged from the further consideration thereof.

The report was accepted, the committee discharged, and the joint resolution ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, to whom was referred a bill relative to elections, reported the same back without amendment, recommended its passage and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, to whom was referred a petition of Chauncey Parker and seventy others, asking an appropriation of internal improvement lands to improve the Rouge river, in the county of Kent,

Reported the same back to the House adverse to the prayer of

said petitioners and asked to be discharged from the further consideration thereof.

The report was accepted and the committee discharged.

Mr. Matthews, from the committee on the organization of townships and counties, to whom was referred a bill to attach certain portions of the township of Hamtramck, in the county of Wayne, to the township of Grosse Point in said county, reported the same back without amendment, recommended its passage and asked to be discharged.

The report was accepted, the committee discharged, and the bill ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Andrews, from the committee on state affairs, to whom was referred the petition of Augustus Kendricks, praying for the passage of an act changing his name, &c., reported the same back accompanied by a bill to change the name of Augustus Kendricks, and asked to be discharged from the further consideration of the subject.

The report was accepted, the committee discharged, and the bill read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The committee on engrossment and enrollment reported as correctly engrossed, a bill to incorporate the Native copper company; also, a bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg; also, a bill to authorize Almeron Newman, James Newman, Peter M. Kind, Asa C. Davis, and Wm. D. Disbro to build a dam across Grand river, in the county of Ionia.

Mr. Chamberlain, from the committee on federal relations, reported a bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company, which report was accepted, the committee discharged, and the bill read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following message was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, February 20, 1849. }

*To the House of Representatives:*

- I have this day approved, signed and deposited in the office of the Secretary of State,



An act to enlarge the corporate limits of the city of Detroit.

EPAPHRO. RANSOM.

Mr. Fox offered the following resolution:

*Whereas*, It appears from the journals of this House that indefinite leave of absence was granted to the Honorable Mr. Flower, of Macomb, on the twelfth of January last;

*And whereas*, This House has received no direct subsequent intelligence from the Honorable member as to his health, intentions, or whereabouts; therefore

*Resolved*, That the Sergeant-at-Arms be forthwith dispatched to the county of Macomb, and if the absentee shall be found sound in body, and sane in mind, that he bring him within the bar of the House.

Mr. Hawley moved to amend by substituting for the original resolution, the following:

*Resolved*, That the committee on supplies and expenditures be instructed to inquire whether the Hon. Mr. Flower, to whom leave of absence for an indefinite period has been granted, has abused the privilege thus granted by the House, and if they find that the said Hon. member has abused the said privilege, that they send the Sergeant-at-Arms of this House for the said Hon. Mr. Flower, and that they report to the House with all convenient dispatch.

Mr. Fox moved to amend the substitute by striking out "supplies," and inserting "state prison."

Mr. Wright moved to lay the whole subject on the table, which motion was lost, by yeas and nays, as follows:

YEAS.

Mr. Burk,	Mr. M. S. Gillett,	Mr. Tilden,
Cady,	Haight,	G. B. Turner,
Campbell,	Hobart,	J. W. Turner,
Chamberlain,	Holmes,	Tuttle,
Curtis,	Matthews,	Wilkinson,
O. C. Comstock,	Moran,	Wright,
Deming,	Mulhollen,	Speaker,
Giddings,	O'Malley,	

23

NAYS.

Mr. Allen,	Mr. David,	Mr. Lockwood,
Andrews,	Dayton,	Lovell,
Bacon,	Ferguson,	McNair,
Belding,	Fox,	McNeil,
Bowne,	A. Gillet,	Moffatt,
Buck,	Hammond,	Parkhurst,

Chittenden,  
Coe,  
Coman,  
H. H. Comstock,

Harger,  
Hartsuff,  
Hawley,

Pannoyer,  
Salzer,  
Stevens,

28:

The question was then taken on the amendment offered by Mr. Fox to the substitute, and decided in the negative.

Mr. Ingersoll moved to amend the substitute by adding thereto the following: "and that the committee on supplies be directed to furnish the Sergeant-at-Arms with a copy of "Japhet in search of his father."

Which amendment was not adopted.

On motion of Mr. Coe,

So much of the substitute as directs the committee to send the Sergeant-at-Arms after the absentees, was stricken out.

The substitute was then adopted; and the question being on the adoption of the resolution as amended,

On motion of Mr. Cady,

The whole subject was indefinitely postponed.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the payment of officers attending on the courts of chancery, which was read twice and referred to the committee on the judiciary.

On motion of Mr. J. W. Turner,

A committee of two was ordered to be appointed to wait upon the Senate and invite that body to meet with the House in their hall tomorrow at twelve o'clock M., to listen to the reading of Washington's farewell address, and also, to extend a like invitation to the Executive and State officers.

The Speaker appointed as such committee, Messrs. J. W. Turner and Ferguson, who after a short absence returned and reported that they had discharged the duty assigned them.

Mr. Hobart, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the St. Joseph valley railroad company; which was read twice and referred to the committee on banks and incorporations.

The bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg was read the third time and passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,  
Andrews,

Mr. Dayton,  
Deming,

Mr. Lovell,  
Matthews,

Bacon,	Earl,	McNair,
Belding,	Fox,	McNeil,
Buck,	A. Gillet,	Moffatt,
Burk,	M. S. Gillett,	Moran,
Cady,	Haight,	Mulhollen,
Campbell,	Hammond,	O'Malley,
Chamberlain,	Harger,	Salyer,
Chittenden,	Hartsuff,	Stevens,
Coe,	Hawley,	Stoddard,
Coman,	Hobart,	Tilden,
Curtis,	Holmes,	Tuttle,
O. C. Comstock,	Ingersoll,	Speaker,
David,	Lockwood,	

44

## NAYS.

Mr. Bowne,	Mr. Pennoyer,	Wilkinson,
H. H. Comstock,	G. B. Turner,	Wright,
Parkhurst,		

7

A bill to incorporate the Native copper company was read the third time and passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Matthews,
Andrews,	Deming,	McNeil,
Bacon,	Earl,	Moffatt,
Belding,	A. Gillet,	Moran,
Buck,	M. S. Gillett,	Mulhollen,
Burk,	Haight,	O'Malley,
Cady,	Hammond,	Parkhurst,
Campbell,	Harger,	Salyer,
Chittenden,	Hartsuff,	Stevens,
Coe,	Hawley,	Stoddard,
Coman,	Hobart,	Tilden,
H. H. Comstock,	Holmes,	Tuttle,
O. C. Comstock,	Lockwood,	Speaker,
David,	Lovell,	

41

## NAYS.

Mr. Bowne,	Mr. G. B. Turner,	Mr. Wilkinson,
Pennoyer,	J. W. Turner,	Wright,

6

A bill to authorize Akneron Newman, James Newman, Peter M. Kind, Asa C. Davis and William D. Disbro to build a dam across Grand river, in the county of Ionia; and

A bill to enlarge the powers of the district board of school district number one, in the township of Jackson, Jackson county,

Were severally read the third time and passed.

On motion of Mr. Ingersoll,

The House resolved itself into a committee of the whole on joint resolution relative to state printing, Mr. Ferguson in the chair.

After some time spent thereon, the committee rose and reported the joint resolution back to the House, with sundry amendments in which they asked the concurrence of the House, and to be discharged from its further consideration.

The report was accepted and the committee discharged.

On motion of Mr. Coe,

The House adjourned.

—  
AFTERNOON SESSION.

*Half past two o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Joint resolution relative to state printing being under consideration,

On motion of Mr. H. H. Comstock,

The joint resolution with the amendment thereto, reported by the committee of the whole, was laid on the table.

On motion of Mr. G. B. Turner,

The House resolved itself into committee of the whole on the general order, Mr. G. B. Turner in the chair.

After some time spent thereon, the committee rose and through their chairman reported back without amendment,

A bill to authorize Townsend North to build a dam across Cass river;

A bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848;

A bill repealing section eight and amendatory of section one of chapter one hundred and fourteen, title twenty-four of the revised statutes, and

A bill to authorize the wardens and vestry of Trinity church in Marshall, to convey certain real estate.

And with amendments in which the concurrence of the House was asked,

A bill to extend for a limited time the charter of the Farmers' and Mechanics' bank of Michigan;

A bill relative to the discharge of judgments and decrees and for other purposes;

A bill relative to the publication of the laws and joint resolutions; and

Joint resolution relative to furnishing certain laws and documents to the military store-keeper of the United States at Dearbornville;

From the further consideration of which the committee asked to be discharged.

The report was accepted, and the committee discharged,

On motion of Mr. Wright,

The House adjourned.

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*Thursday, February 22, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. R. R. Richards.

The roll was called, and Messrs. Davis, Morton, Mosher, Smith, St. Clair and Waite were absent with leave, and Messrs. Allen and Haight absent without leave.

Mr. Pennoyer asked and obtained leave of absence for Mr. Allen for the day, and

Mr. A. Gillet for Mr. Haight, for four days.

On motion of Mr. Burk,

The action of the rule requiring the reading of the journal was suspended, and the reading was dispensed with.

PETITIONS PRESENTED.

By Mr. Pennoyer, memorial of the supervisors and assessors of the township of Norton, in the county of Ottawa, praying for the abatement of a certain tax; referred to the committee on ways and means.

By Mr. Parkhurst, petition of Albert Marble, Daniel Kellogg and one hundred and five others, citizens of Oakland county, praying for the charter of a plank road from Pontiac to Drayton Plains in the county of Oakland; referred to the committee on banks and incorporations.

By Mr. Burk, of Horace Gurney and fifty-four others, of St. Joseph, Berrien county, praying for an alteration of the license laws; referred to the committee on state affairs.

By Mr. Hammond, of H. M. Munson and twenty-five others, asking for an alteration in a certain state road in the township of Benton; referred to the committee on roads and bridges.

Also, petition of Nathaniel Turner and eighty-six others, asking the passage of a law to vacate the county site of Shiawassee county; referred to the committee on the organization of towns and counties.

Also, petition of A. C. Bostford and eighty-three others, relative to a certain state road in Shiawassee county; referred to the committee on roads and bridges.

By Mr. Andrews, of S. T. Foote and others asking the passage of an act to incorporate the Decatur, Lawrence and Breedsville plank road company; referred to the committee on banks and incorporations.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred a bill to incorporate the Battle Creek and Dry Prairie plank road company, and

A bill to incorporate the Tecumseh and Dundee plank road company,

Reported said bills back without amendment and asked to be discharged from their further consideration.

The report was accepted, the committee discharged, and the bills were severally ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, in like manner reported back the bill to incorporate the city of Detroit gas company, which report was accepted, the committee discharged and the bills referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, to whom was referred the petition of E. B. Frost and others, to vacate a certain alley in the village of Albion, in the county of Calhoun, reported the same back accompanied by a bill for that purpose, and asked to be discharged from its further consideration.

The report was accepted, the committee discharged, and the bill read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, to whom was referred a bill to provide for the payment of officers attending on the courts of chancery, reported the same back without amendment, recommended its passage; which report was accepted, the committee discharged and the bill ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. G. B. Turner, from the committee on claims, to whom was referred the petition of M. P. Gilkey and others, asking relief on a certain contract; and the petition of S. B. Munro for relief on account

of damages sustained on the central railroad, reported adverse to the prayer of the petitioners and asked to be discharged.

The report was accepted and the committee discharged.

Mr. G. B. Turner, from the same committee, to whom was referred joint resolution authorizing the board of state auditors to examine and settle the claim of Thomas B. W. Stockton; and

Joint resolution relative to the claim of James Parshall,

Reported the same back and recommended that they do not pass.

The report was accepted, the committee discharged, and the joint resolutions severally referred to the committee of the whole and placed on the general order.

Mr. Matthews, from the committee on the organization of townships and counties, to whom was referred the petition of F. Denison and forty-six others, citizens of the county of Clinton, praying for the incorporation of the counties of Clinton, Eaton and Ingham in one county, and making Lansing the county site, reported adversely to the prayer of the petitioners and asked to be discharged from the further consideration thereof.

Which report was accepted and the committee discharged.

Mr. Matthews, from the same committee, to whom was referred the petition of citizens of Michigan, praying for an alteration in the name of Van Buren county, reported adversely to the prayer of said petitioners and asked to be discharged from its further consideration.

The report was accepted and the committee discharged.

The committee on engrossment and enrollment reported as correctly engrossed,

A bill to incorporate the Siskowit mining company of Michigan; also

A bill to incorporate the Ohio Trap Rock mining company.

The committee on engrossment and enrollment reported as correctly enrolled;

A joint resolution relative to the claims of John W. Palmer, Edward N. Greely and Alvin T. Crossman; also

A joint resolution proposing an amendment to the constitution relative to certain public officers, have this day been presented to the Governor for his approval.

The Speaker announced the following message from the Senate :

SENATE CHAMBER,  
Lansing, February 21, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled joint resolution, and to respectfully inform you that the Senate have concurred therein, viz :

Joint resolution proposing an amendment to the constitution relative to certain public officers; also

A bill to authorize Norman A. Harrington, of the county of Ingham, to convey certain real estate, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked.

I am further instructed to transmit herewith the following entitled bill, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz :

A bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county.

I am further instructed to inform you that the Senate insist upon their amendment to House bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county, and that Senators Summers, McKinney and McCabe have been appointed a committee of conference on the part of the Senate, on the disagreement between the two Houses on said bill, which is herewith returned, and to respectfully request the appointment of a like committee on the part of the House.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

Joint resolution proposing an amendment to the constitution relative to certain public officers, was ordered to be enrolled.

Senate amendment to House bill to authorize Norman A. Harrington, of the county of Ingham, to convey certain real estate, was concurred in, and the bill as amended was ordered to be enrolled.

Senate bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county, was read twice and referred to the committee on roads and bridges.

On motion of Mr. Chamberlain,

A committee of conference on the part of the House was ordered to be appointed to act with the like committee on the part of the



Senate, on the disagreement of the two Houses on the bill authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county.

The Speaker appointed as such committee, Messrs. Chamberlain, G. B. Turner and Coe.

Mr. Fox offered the following resolution which was adopted :

*Resolved*, That hereafter no member of this House, absent without leave, shall be entitled to, or recover a per diem allowance as a member of this House during his absence, without cause shown.

On motion of Mr. Ingersoll,

Joint resolution relative to state printing was taken from the table.

Mr. J. W. Turner moved that the resolution be referred to the committee on claims with instructions to report a bill in lieu thereof, provided a claim shall be allowed; which motion did not prevail.

The question being on concurring in the amendments to the resolution as reported yesterday by the committee of the whole, the amendments were severally concurred in.

On motion of Mr. G. B. Turner,

The resolution was amended by striking out the word "Resolved," and inserting the words "Be it enacted," in the first line of the first resolution, and by striking out the word "resolved," and the word "resolution," wherever it occurs in the last resolution, and substituting for the latter word the word "act."

Mr. Ingersoll moved to add a new section to stand as section two, as follows :

"The Auditor General shall draw his warrant on the State Treasurer for such sums as may be due to said contractors from time to time, reserving twenty per cent. until all the work shall be performed."

Mr. J. W. Turner moved to amend the amendment by striking out "twenty per cent." and inserting "the amount paid over and above the contract price," which motion did not prevail.

The amendment offered by Mr. Ingersoll was then adopted.

On motion of Mr. G. B. Turner,

The title of the resolution was so amended as to read, "A bill relative to state printing."

Mr. J. W. Turner moved that the bill be re-committed to the committee on claims, which was not agreed to.

The bill was then ordered to be engrossed and read the third time, as follows:

## YEAS.

Mr. Andrews,	Mr. Ferguson,	Mr. Matthews,
Bacon,	Giddings,	Moffatt,
Bowne,	A. Gillet,	Mulhollen,
Burk,	M. S. Gillett,	Pennoyer,
Chamberlain,	Harger,	Salyer,
Coe,	Hartsuff,	Stoldard,
Coman,	Hobart,	Tilden,
H. H. Comstock,	Ingersoll,	G. B. Turner,
O. C. Comstock,	Kilborn,	Waite,
Dayton,	Lockwood,	Wright,
Earl,	Lovell,	Speaker, 35

## NAYS.

Mr. Belding,	Mr. Hammond,	Mr. O'Malley,
Cady,	Hawley,	Parkhurst,
Chittenden,	Homles,	Stevens,
Curtis,	McNair,	J. W. Turner,
David,	McNeil,	Tuttle,
Deming,	Moran,	Wilkinson,
Fox,		19

A committee from the Senate, consisting of Senators Summers and Isbell was announced, who informed the House that the Senate had accepted the invitation to meet with the House in their Hall at 12 o'clock M. of this day, to listen to the reading of Washington's farewell address.

Mr. G. B. Turner offered the following resolution, which was adopted:

*Resolved*, That from and after to-day this House will hold but one session each day, commencing at 9 o'clock A. M.

On motion of Mr. J. W. Turner,

*Resolved*, That upon the conclusion of the reading of Washington's farewell address and the business connected therewith, this House shall stand adjourned till the regular hour of meeting to-morrow morning.

Mr. Parkhurst gave notice that on some future day he will ask leave to introduce a bill to incorporate a plank road company leading from Pontiac to Drayton Plains, in the county of Oakland; also, to introduce a joint resolution.

Mr. Lovell gave notice that on some future day he will ask leave to introduce a bill to appropriate one thousand acres of internal im-

provement lands to aid the township of Boston, Lenia county, to build a bridge across Grand river.

Mr. H. H. Comstock offered the following resolution, which was laid over one day, under the rule:

*Resolved, by this House, (the Senate concurring) That this legislature will adjourn sine die on Monday, the fifth day of March next.*

Mr. Coe offered the following resolution:

*Resolved, That the committee on printing be instructed to inquire of the state printer and to report when a bill to authorize proceedings against garnishees, &c., will be printed.*

Mr. Ingersoll moved to lay the resolution on the table, which was not agreed to, and

The resolution was then adopted.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to the pay of the late Herman C. Noble, which was read twice and referred to the committee on claims.

#### THIRD READING OF BILLS.

A bill to incorporate the Ohio Trap Rock mining company was read the third time and passed by a two-thirds vote, as follows:

#### YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Moffatt,
Bacon,	Fox,	Moran,
Belding,	A. Gillet,	Mulhollen,
Burk,	M. S. Gillett,	Parkhurst,
Cady,	Harger,	Salzer,
Campbell,	Hawley,	Stevens,
Chittenden,	Hobart,	Stoddard,
Coe,	Holmes,	Tilden,
Ooman,	Ingersoll,	J. W. Turner,
Curtis,	Kilborn,	Turrill,
H. H. Comstock,	Lockwood,	Tuttle,
O. C. Comstock,	Lovell,	Waite,
David,	Matthews,	Speaker,
Dayton,	McNair,	Wright,
Deming,	McNeil,	

43.

#### NAYS.

Mr. Bowne,	Mr. G. B. Turner,	Mr. Wright,
Pennoyer,	Wilkinson,	

5.

A bill to incorporate the Siskoweit mining company was read the third time, and passed by a two-thirds vote, as follows:

## YEAS.

Mr. Andrews,	Mr. Deming,	Mr. McNair,
Bacon,	Earl,	McNeil,
Belding,	Fox,	Moffatt,
Burk,	A. Gillet,	Moran,
Cady,	M. S. Gillett,	Mulhollen,
Campbell,	Harger,	Parkhurst,
Chittenden,	Hawley,	Salzer,
Coe,	Hobart,	Stevens,
Coman,	Holmes,	Tilden,
Curtis,	Ingersoll,	J. W. Turner,
H. H. Comstock,	Kilborn,	Turrill,
O. C. Comstock,	Lockwood,	Tuttle,
David,	Lovell,	Waite,
Dayton,	Matthews,	Speaker, 42

## NAYS.

Mr. Pennoyer,	Mr. Wilkinson,	Mr. Wright,
G. B. Turner,		4

On motion of Mr. Ingersoll,

A committee of two was ordered to be appointed to wait upon the Senate, Executive and state officers, and inform them that the House were now ready to receive them for the purpose of hearing read Washington's farewell address.

The Speaker appointed Messrs. Ingersoll and Deming as such committee, who, after a short absence returned and reported that they had discharged the duties assigned them.

The Senate, Executive and state officers having taken seats within the bar of the House, the Speaker announced that under the resolution adopted by the House, Hon. Elijah Hawley, one of the members thereof, had been selected to read the address.

The reading having been concluded, Mr. Ingersoll offered the following resolution, which was adopted:

*Resolved*, That the thanks of this House be and they are hereby tendered to the Hon. Mr. Hawley, for the able and impressive manner in which he has read to us the farewell address of Gen. Washington to his countrymen.

Mr. J. W. Turner offered the following resolution, which was adopted:

*Resolved*, That the thanks of this House be and they are hereby tendered to the Executive, to the state officers, and to the officers and members of the Senate, for their attendance during the reading of the address of George Washington.

The House then adjourned.

*Friday, February 23, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Haight, Morton, Mosher and Smith were absent on leave, and Messrs. Buck, Flower, Hartsuff and Hatch were absent without leave.

Mr. Campbell asked and obtained leave of absence for Mr. Hartsuff for two days.

Mr. Holmes asked and obtained leave of absence for Mr. Buck for the day.

On motion of Mr. Stevens,

The action of the rule requiring the reading of the journal was suspended.

Mr. Tilden presented the petition of the mayor and aldermen of the city of Monroe, praying for certain alterations in the charter of said city; referred to the committee on banks and incorporations.

Mr. Wright presented the petition of Richard Brownson and forty-five others, for the establishment of a state road from the village of Waterford, in Oakland county, to the village of Lapeer, in the county of Lapeer; referred to the committee on roads and bridges.

Mr. Belding presented the remonstrance of Ebenezer Raynale, George H. Satterlee and seventy-nine others, against the re-enactment of the law providing for capital punishment; referred to the committee on the judiciary.

Mr. Cady presented the remonstrance of John Chikwer and sixty-five others, against the passage of a law authorizing the appointment of commissioners to lay out a public road from Wayne county line to Utica, in Macomb county; referred to the committee on roads and bridges.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill relative to state printing was correctly engrossed.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of Moses Hawks, reported the same back, and reported that no legislative action was necessary thereon, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. G. B. Turner, from the same committee, reported back the

claim of J. C. Bailey, for stationery, reported in favor of its allowance, and recommended that it be referred to the committee on ways and means, with instructions to embody the amount in the general appropriation bill, which report was accepted and the committee discharged from the further consideration of the subject, and

The claim was referred to the committee on ways and means with the instructions.

Mr. Chittenden, from the committee on banks and incorporations, to whom was referred the bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Marshall, and for other purposes, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged, and

The bill was referred to the committee of the whole, placed on the general order and ordered to be printed.

Mr. Kilborn, from the committee on public lands, to whom was referred the Senate bill authorizing the commissioner of the state land office to sell certain lots in the town of Lansing, and for other purposes, reported the same back without amendment and recommended its passage; which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Kilborn, from the same committee, to whom was referred the remonstrance of Robert Hilton and N. Fisk, against the passage of any act granting state salt spring lands to John Hagadone, reported the same back without action; which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Campbell, from the committee on internal improvement, to whom were referred the Senate bill for the improvement of the road leading from Grand Blanc to the Thread mills, in the county of Genesee, and

The Senate bill for the improvement of the road leading from the township of Marathon, in the county of Lapeer, to Oxford, in the county of Oakland, reported the same back without action, and asked to be discharged from their consideration; which report was accepted and the committee discharged, and

The bills were referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the same committee, to whom was referred the Senate bill for the improvement of Flat river, in the counties of Montcalm, Ionia and Kent, reported the same back with an amendment, and asked to be discharged from its further consideration; which report was accepted and the committee discharged.

The amendment reported was concurred in, and the bill was ordered to be read the third time.

Mr. Andrews, from the committee on state affairs, to whom was referred the Senate joint resolution recommending a revision of the constitution of the state of Michigan, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, to whom was referred the Senate bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

The following communications were announced:

EXECUTIVE OFFICE,  
Lansing, February 22, 1849.

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

A joint resolution relative to the claims of John W. Palmer, Edward N. Greeley and Alvin T. Crossman.

Also a joint resolution proposing an amendment to the constitution relative to certain public officers.

EPAPHRO. RANSOM.

SENATE CHAMBER,  
Lansing, February 21, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled

bill, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked, viz:

A bill to amend chapter thirty-eight of the revised statutes.

I am further instructed to transmit the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill for the encouragement of agriculture, manufactures and the mechanic arts;

A bill to authorize proceedings against garnishees, and for other purposes;

A bill to exempt certain property from taxation;

A bill to vacate a certain part of the village plat of the village of Tekonsha, in the county of Calhoun;

A bill relative to the Kalamazoo and Black lake plank road company;

A bill to transfer the trusteeship of certain lands therein named;

A bill relative to the Genesee county plank road company;

A bill relative to the Owasso and Bad River plank road company;

A bill relative to the Corunna and Saginaw plank road company;

A bill relative to the Flint and Fentonville plank road company;

A bill providing for the improvement of the the state road leading from the village of Flint, in the county of Genesee, *via* the Miller settlement, to Shiawassee town;

A bill to authorize the Detroit Young Men's society to contract a certain loan; and

A bill to incorporate the Lapeer and Port Huron plank road company.

Respectfully, &c.

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate amendment to the bill to amend chapter thirty-eight of the revised statutes was concurred in, and

The bill as amended was ordered to be enrolled.

The Senate bill for the encouragement of agriculture, manufactures and the mechanic arts, was read twice and referred to the committee on agriculture and manufactures.

The following entitled Senate bills were severally read twice and referred to the committee on banks and incorporations, viz:

A bill relative to the Genesee county plank road company;



A bill relative to the Owasso and Bad river plank road company;  
A bill relative to the Corunna and Saginaw plank road company;  
A bill relative to the Flint and Fentonville plank road company;  
A bill relative to the Kalamazoo and Black lake plank road company;

A bill to incorporate the Lapeer and Port Huron plank road company; and

A bill to authorize the Detroit Young Men's society to contract a certain loan.

The Senate bill to exempt certain property from taxation was read twice and referred to the committee on ways and means.

The Senate bill providing for the improvement of a state road leading from the village of Flint, in the county of Genesee, *via* the Miller settlement, to Shiawassee town, was read twice and referred to the committee on roads and bridges.

The following entitled Senate bills were severally read twice and referred to the committee on the judiciary, viz:

A bill to authorize proceedings against garnishees, and for other purposes;

A bill to transfer the trusteeship of certain lands therein named; and

A bill to vacate a certain part of the village plat of Tekonsha, in the county of Calhoun.

Mr. Lockwood gave notice that he would on some future day ask leave to introduce a joint resolution relative to certain state property.

Mr. H. H. Comstock, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent, and making appropriations therefor, which was read twice and referred to the committee on roads and bridges.

Mr. J. W. Turner gave notice that he would on some future day ask leave to introduce a joint resolution in relation to the contract of Munger & Pattison.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to furnishing legislative documents to Louis Napoleon Bonaparte, president of the French republic, which was read twice and referred to the committee on the state library.

On motion of Mr. Chittenden,

*Resolved*, That the Rev. Jonathan Lamb be appointed Sergeant-at-Arms *pro tempore*, during the absence of Richard H. Connor.

Mr. H. H. Comstock moved that the concurrent resolution fixing the day of adjournment yesterday offered by him, be taken from the table, which motion was lost.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a bill appropriating certain non-resident highway taxes on the north road between the villages of Milford and Pontiac, in Oakland county, which was read twice, and referred to the committee on roads and bridges.

Mr. Kilborn offered the following resolution:

*Resolved*, That the Sergeant-at-Arms *pro tempore* be sent for the Hon. Mr. Hatch, and bring him to the bar of the House forthwith, if he be found in good health.

Mr. Wright moved that the resolution be amended by striking out the words "Sergeant-at-Arms *pro tempore*," and inserting "Johnson Niles,"

Pending which,

✓ On motion of Mr. Coe,

The resolution was laid on the table.

The bill relative to the state printing was read the third time, when

Mr. David moved a call of the House which was had, and it was found that Messrs. O. C. Comstock, Flower, Hatch, Matthews and Moran were absent without leave.

Mr. Hawley moved that all further proceedings under the call be dispensed with, which motion was lost.

Mr. David moved that the Sergeant-at-Arms be despatched after the absentees, which motion was lost, and several of the absentees having returned.

On motion of Mr. O'Malley,

All further proceedings under the call were dispensed with.

Mr. Ferguson moved that the bill be recommitted to the committee on printing, with instructions to strike out of the fourth line of section one, the words "until otherwise ordered by the legislature," which motion was decided in the negative, as follows:

YEAS.

Mr. Bacon,  
Belding,

Mr. Ferguson,  
Harger,

Mr. O'Malley,  
Parkhurst,

Cady,	Hawley,	Stevens,
Chittenden,	Holmes,	Stoddard,
Coman,	McNair,	J. W. Turner,
Curtis,	McNeil,	Tuttle,
David,	Moran,	Wilkinson,
Deming,	Mulhollen,	Speaker,
Fox,		

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## NAYS.

Mr. Allen,	Mr. Earl,	Mr. Moffatt,
Andrews,	A. Gillet,	Pennoyer,
Bowne,	M. S. Gillett,	Salter,
Burk,	Hammond,	St. Clair,
Campbell,	Hobart,	Tilden,
Chamberlain,	Ingersoll,	G. B. Turner,
Coe,	Lockwood,	Waite,
H. H. Comstock,	Lovell,	Wright,
Dayton,	Matthews,	

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Mr. M. S. Gillett moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question, being on the passage of the bill, was then taken, and after the roll had been called,

Messrs. Giddings and Lockwood asked to be excused from voting on the question, but the House refused to excuse them.

The vote was then announced, as follows:

## YEAS.

Mr. Allen	Mr. Dayton,	Mr. Moffatt,
Andrews,	Earl,	Mulhollen,
Bacon,	Ferguson,	Pennoyer,
Bowne,	Giddings,	Salter,
Burk,	A. Gillet,	St. Clair,
Campbell,	M. S. Gillett,	Stoddard,
Chamberlain,	Ingersoll,	Tilden,
Coman,	Lovell,	G. B. Turner,
H. H. Comstock,	Matthews,	Wright,

27

## NAYS.

Mr. Belding,	Mr. Harger,	Mr. Moran,
Cady,	Hawley,	O'Malley,
Chittenden,	Hobart,	Stevens,
Curtis,	Holmes,	J. W. Turner,
David,	Lockwood,	Tuttle,
Deming,	Kilborn,	Waite,
Fox,	McNair,	Wilkinson,
Hammond,	McNeil,	Speaker,

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So the bill was declared passed and the title agreed to.

Mr. Chamberlain moved that the vote by which the bill was passed be reconsidered.

Mr. J. W. Turner moved that the motion to reconsider be laid on the table, which motion was lost.

Mr. Hawley moved a call of the House, which was not ordered.

Mr. J. W. Turner moved an adjournment, but the House refused to adjourn.

The question then recurring on the motion to reconsider it was decided in the negative, by yeas and nays, as follows:

## YEAS.

Mr. Belding,	Mr. Hawley,	Mr. Parkhurst,
Cady,	Hobart,	Stevens,
Chittenden,	Holmes,	J. W. Turner,
Curtis,	Kilborn,	Tuttle,
David,	McNair,	Waite,
Deming,	McNeil,	Wilkinson,
Fox,	Moran,	Speaker
Harger,	O'Malley,	

23

## NAYS.

Mr. Allen,	Mr. Earl,	Mr. Moffat,
Andrews,	Ferguson,	Mulhollen,
Bacon,	Giddings,	Pennoyer,
Bowne,	A. Gillet,	Salter,
Burk,	M. S. Gillett,	St. Clair,
Campbell,	Hammond,	Stoddard,
Chamberlain,	Ingersoll,	Tilden,
Coman,	Lockwood,	G. B. Turner,
H. H. Comstock,	Lovell,	Wright,
Dayton,	Matthews,	

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On motion of Mr. Chamberlain,

The House adjourned.

*Saturday, February 24, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Haight, Hartsuff, Morton and Mosher were absent on leave; and Messrs. Buck, Flower and Hatch were absent without leave.

Mr. Coe asked and obtained leave of absence for Mr. Buck for the day.

On motion of Mr. G. B. Turner,

The action of the rule requiring the reading of the journal was suspended.

Mr. Hammond presented the petition of Spencer Putnam and others, minor heirs of Jeremy Putnam, for authority to convey certain real estate; referred to the committee on the judiciary.

Mr. Lockwood presented the petition of Everett Wendall and fifty others, and of William Alderman and fifty-four others, for the laying out and establishing a certain road from the village of Milford, in Oakland county, to Davisonville, in the county of Genesee, and for an appropriation of certain non-resident highway taxes thereon; referred to the committee on roads and bridges.

Mr. St. Clair presented the petition of Ira Marks and other citizens of the township of Ira, in St. Clair county, asking to be attached to the township of Clay, in said county; referred to the committee on the organization of townships and counties.

Mr. Lockwood, from the committee on claims, to whom was referred the joint resolution relative to the pay of the late Herman C. Noble, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The joint resolution was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson from the committee on the judiciary, to whom was referred the Senate bill to vacate a certain part of the village plat of the village of Tekonsha, in the county of Calhoun, reported the same back with an amendment, and recommended its passage; which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, submitted the following report:

The committee on the judiciary, to whom was referred Senate bill number sixty-five, entitled "a bill to transfer the trusteeship of certain lands therein mentioned," have had the same under consideration, and are of the opinion that the court of chancery, and not the legislature, is the proper source to which to apply for the relief sought under the bill.

It does not appear from the petition and files in the possession of the House, that the minors for whose benefit the trust was instituted, and who are the only persons having a beneficial interest

in the lands referred to, and hence the only persons to be affected by the passage of the bill, have ever been consulted in the matter, and there is no representative in their behalf.

In the opinion of the committee, it would be imprudent to say the least, to undertake to legislate in reference to the rights of these minor children, paramount as is their interests, simply upon the petition of the trustee, and a person seeking for himself a substitution of the trust. It might open the door to the grossest frauds upon the rights of the children without inquiring into the *bona fides* of the existing trust. The committee are unwilling to disturb it by any legislative action, but would respectfully refer all parties concerned to the tribunals where such cases are cognizable, and where the interest of the minor children being represented, may be fully protected. The committee accordingly instruct me, as their chairman, to report the bill back to the House with a recommendation that it do not pass, and the committee ask to be discharged from the further consideration of the subject.

Which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to incorporate the Niles and Mottville plank road company, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom were referred the following entitled Senate bills, reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects, viz:

A bill to authorize the Detroit Young Men's society to contract a certain loan;

A bill relative to the Corunna and Saginaw plank road company;

A bill relative to the Owasso and Bad river plank road company;

A bill relative to the Genesee county plank road company;

A bill relative to the Flint and Fentonville plank road company;

A bill relative to the Kalamazoo and Black Lake plank road company; and

A bill to incorporate the Lapeer and Port Huron plank road company.

The foregoing bills were referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee on the judiciary to whom was referred Senate bill to authorize proceedings against garnishees, and for other purposes, have had the same under consideration and have instructed me to report;

That in the opinion of the committee the House bill on the same subject is preferable, and therefore report the same back with the recommendation that it do not pass.

The Senate bill to authorize proceedings against garnishees, and for other purposes, was referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, February 24, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bills, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to amend sections thirty-one and fifty-two, chapter twenty of the revised statutes of 1846; and

A bill to amend chapter one hundred and six, title twenty-two of the revised statutes.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to amend sections thirty-one and fifty-two, chapter twenty of the revised statutes of 1846, was read twice and referred to the committee on ways and means.

The Senate bill to amend chapter one-hundred and six of the revised statutes, was read twice and referred to the committee on the judiciary.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to certain state property.

which was read twice and referred to the committee on the state library.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Pontiac and Waterford plank road company, which was read twice and referred to the committee on banks and incorporations.

Mr. H. H. Comstock offered the following resolution:

*Resolved*, That this House will meet on and after Monday next, at half past nine o'clock A. M., and at half past two o'clock P. M., for the transaction of business.

Mr. Ingersoll moved that the resolution be laid on the table, which motion prevailed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Earl,	Mr. Lovell,
Andrews,	Fox,	Moran,
Bowne,	Giddings	Sulzer,
Chittenden,	A. Gillet,	Tilden,
Coe,	Hammond,	G. B. Turner,
Coman,	Hawley,	Tuttle,
O. C. Comstock,	Hobart,	Waite,
Curtis,	Holmes,	Wright,
David,	Ingersoll,	Speaker,
Dayton,	Lockwood,	

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## NAYS.

Mr. Bacon,	Mr. M. S. Gillett,	Mr. Parkhurst,
Belding,	Harger,	Pennoyer,
Burk,	Kilborn,	Smith,
Cady,	Matthews,	St. Clair,
Campbell,	McNair,	Stevens,
Chamberlain,	McNeil,	Stoddard,
H. H. Comstock,	Moffatt,	J. W. Turner
Deming,	Mulhollen,	Turrill,
Ferguson,	O'Malley,	Wilkinson,

27

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill for the improvement of a road leading from Grand Blanc to the Thread mills, in the county of Genesee, and

On motion of Mr. Lovell,

The bill was recommitted to the committee on internal improvement, with instructions to amend the same so as to be in accordance with the bill for the improvement of Flat river.

On motion of Mr. Coe,

The bill to amend an act entitled an act to authorize the sale of



the Southern railroad and to incorporate the Michigan Southern railroad company, was taken from the table and made the special order for Wednesday next.

Mr. H. H. Comstock moved that the concurrent resolution fixing the day of adjournment, offered by him on Thursday last, be taken from the table, which motion was lost.

Mr. Kilborn gave notice that he would on some future day ask leave to introduce a bill authorizing the holding of the courts of Ingham county alternately at Mason and Lansing.

Mr. Ferguson gave notice that he would on some future day ask leave to introduce a bill.

On motion of Mr. Coe,

The report of the committee on banks and incorporations, on the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan Southern railroad company, was recommitted to the committee.

The bill for the improvement of Flat river in the counties of Montcalm, Ionia and Kent, was read the third time, when

Mr. Chamberlain moved that it be laid on the table, which motion was lost, and

The bill was passed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. Moran,
Andrews,	Earl,	Mulhollen,
Bacon,	Giddings,	Pennoyer,
Belding,	M. S. Gillett,	Salver,
Bowne,	Hammond,	Smith,
Campbell,	Harger,	St. Clair,
Coe,	Hobart,	Stevens,
Coman,	Ingersoll,	Stoddard,
H. H. Comstock,	Lovell,	Tilden,
O. C. Comstock,	Matthews,	Turrill,
Curtis,	McNair,	Wright,
Dayton,	Moffatt,	Speaker,

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## NAYS.

Mr. Burk,	Mr. Fox,	Mr. Tuttle,
Cady,	Hawley,	Waite,
Chamberlain,	G. B. Turner,	Wilkinson,
David,	J. W. Turner,	

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The question being on the title of the bill,

Mr. Fox moved that it be amended by adding thereto the words "and an appropriation of lands hereafter to be obtained by the State-

of Michigan," which motion was rejected and the original title was agreed to.

Mr. Chittenden, by unanimous consent, offered the following resolution, which was adopted, viz :

*Resolved*, That the committee on internal improvement be directed to procure the printing of five hundred copies of the report of the committee on banks and incorporations, on the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan Southern railroad company, with the following alterations; insert the words "majority of the" before "committee," in the heading, and strike out of the second line from the bottom of the first page, the words "they have come unanimously," and insert in lieu thereof, "and a majority have come."

The House having arrived at the order of unfinished business, took up the bill to authorize Townsend North to build a dam across Cass river, and

The bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848.

And they were severally ordered to be read the third time.

The bill repealing section eight and amendatory of section one of chapter one hundred and fourteen, title twenty-four of the revised statutes, was taken up, when

Mr. G. B. Turner moved that all after the enacting clause be stricken out, which motion prevailed, and

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The bill to authorize the wardens and vestry of Trinity church in Marshall, to convey certain real estate, was taken up and ordered to be engrossed and read the third time.

The bill relative to the discharge of judgments and decrees, and for other purposes, was taken up, when

Mr. Giddings moved that it be laid on the table, which motion was lost, and

The amendment to the bill reported by the committee of the whole was concurred in.

On motion of Mr. G. B. Turner,

All after the enacting clause of the bill was stricken out, and the further consideration of the bill was indefinitely postponed.

The bill relative to the publication of the laws and joint resolutions

was taken up, and the first and second amendments thereto, reported by the committee of the whole, were concurred in, and the third amendment was non-concurred in.

On motion of Mr. J. W. Turner,

The vote non-concurring in the third amendment was reconsidered.

Mr. Coe moved that the bill be committed to the committee on state affairs, with the following instructions:

*First.* To inquire into the expediency of repealing the law creating a state paper; and

*Second.* To amend the bill so as to provide the mode of determining the paper in which to publish the laws.

Which motion was agreed to.

The joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville, was taken up, and the amendment thereto, reported by the committee of the whole, was concurred in, and

The joint resolution was ordered to be read the third time.

The bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, was taken up, and the first, second and fourth amendments thereto, reported by the committee of the whole, were concurred in.

On motion of Mr. Coe,

The third amendment was amended by striking out all after the word "or" in the twelfth line, and the amendment as amended was concurred in.

On motion of Mr. Ferguson,

The following was added to the bill to stand as section nine, viz :

"Sec. 9. The charter of said corporation shall not be extended by virtue of this act, unless said corporation shall, on or before the fifth day of November A. D. 1849, cause to be filed with the Auditor General of this state, a certificate under its corporate seal, and signed by its president and cashier, setting forth that the said corporation assents to become subject to all the provisions of this act."

Mr. Chamberlain offered the following substitute for section two :

"From and after the expiration of the present charter, all bills or notes issued by said bank shall be secured by evidences of debt, issued and payable by the United States, the state of New-York, Michigan, or some one of the New-England states, which pay interest at a

rate of not less than six per cent. ; the said evidences of debt being what is commonly known as state stocks, they being bonds of the states and of the United States; which said stocks shall be deposited with the state treasurer, and the state treasurer, or deputy state treasurer, under the direction of the state treasurer, is authorized and required to countersign, in a uniform manner, as nearly as possible, all the bills or notes which shall be presented to him for that purpose by said bank, which, by law, they shall be authorized to issue; and it shall be the duty of said treasurer to register all notes and bills countersigned by him, in a book kept for that purpose, and after the expiration of the present charter, the said bank shall not pay out any of its own bills or notes not countersigned and registered as above provided. The bank shall be entitled to have thus countersigned and delivered to them, an amount equal to the amount of the stocks thus deposited, equal to market value in the city of New-York: *Provided*, That said stocks shall never be received for more than their face value at the time of delivery to the state treasurer. All the bills or notes not countersigned or deposited, which shall be in the possession of the said bank when the bills or notes are thus countersigned, registered and delivered to said bank, shall be destroyed in the presence of the state treasurer, or before some person appointed by him for that purpose; and all bills or notes not so countersigned and registered, which shall come into possession of said bank thereafter, shall be destroyed in like manner; and all bills or notes issued by the said bank shall have preference over all debts whatsoever upon all the assets and property of the said Farmers' and Mechanics' bank; and for any deficiency in the assets and property of the said bank to pay the billholders, the directors and stockholders shall be individually liable, and shall continue thus liable until all bills or notes of said bank shall be fully redeemed: *Provided further*, That no stockholder shall be liable for any issues of said bank for more than three years after he shall cease to hold stock in said bank."

On motion of Mr. J. W. Turner,

The substitute was amended by striking out the words "six per cent.," and inserting "five per cent. for United States stocks, New York state stocks and New England state stocks; and in case Michigan state stocks shall be put in as required by this act, the same shall be six per cent. stocks."

The substitute as amended was then rejected, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Pennoyer,
Bacon,	Holmes,	Smith,
Burk,	Kilborn,	St. Clair,
Chamberlain,	McNair,	G. B. Turner,
David,	McNeil,	Tuttle,
Deming,	Parkhurst,	Speaker, 18

## NAYS.

Mr. Allen,	Mr. Fox,	Mr. Moran,
Belding,	Giddings,	Mulhollen,
Cady,	A. Gillet,	O'Malley,
Campbell,	M. S. Gillett,	Salyer,
Chittenden,	Hammond,	Stevens,
Coe,	Harger,	Stoddard,
Coman,	Hobart,	Tilden,
H. H. Comstock,	Ingersoll,	J. W. Turner,
O. C. Comstock,	Lockwood,	Turrill,
Curtis,	Lovell,	Waite,
Dayton,	Matthews,	Wilkinson,
Earl,	Moffatt,	35

Mr. Allen moved an adjournment, which motion was decided in the negative.

On motion of Mr. Hawley,

The third line of section six was amended by inserting the words "as assessed by the proper township officers, or estimated by the state treasurer," after "estate."

Mr. Chamberlain moved an adjournment, but the House refused to adjourn.

On motion of Mr. Hawley,

The second line of section seven was amended by inserting "nor shall said bank at any time pay out any bills or promissory notes of other banks which are not at par value in the city of Detroit, at the time of such paying out," after the word "bank."

Mr. Hawley moved to amend the third line of section eight by inserting the words "selling of stocks and redeeming of the bills as provided in section three," after "publication."

Mr. McNeil moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question being ordering the bill to be engrossed and read the time, was then taken, and carried in the affirmative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. McNeil,
Belding,	A. Gillet,	Moffatt,
Campbell,	M. S. Gillett,	Moran,
Chittenden,	Hammond,	Mulhollen,
Coe,	Harger,	O'Malley,
Coman,	Hawley,	Salter,
H. H. Comstock,	Hobart,	St. Clair,
O. C. Comstock,	Ingersoll,	Stevens,
David,	Lockwood,	Stoddard,
Dayton,	Lovell,	Tilden,
Earl,	Matthews,	Turrill,
Fox,		

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## NAYS.

Mr. Bacon,	Mr. Kilborn,	Mr. J. W. Turner,
Burk,	McNair,	Tuttle,
Cady,	Parkhurst,	Waite,
Chamberlain,	Pennoyer,	Wilkinson,
Curtis,	Smith,	Wright,
Deming,	G. B. Turner,	Speaker,
Holmes,		

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On motion of Mr. Holmes,  
The House adjourned.

*Monday, February 26, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Fox, Haight, Morton, Salter and Wright were absent on leave, and Messrs. Allen, Flower, Ferguson, Hartsuff, Hatch, Kilborn and Moffatt were absent without leave.

Mr. Hobart asked and obtained leave of absence for Mr. Moffatt, for the day.

Mr. Andrews for Mr. Ferguson, for an indefinite period.

Mr. Wilkinson for Mr. Kilborn, for two days.

Mr. Deming for Mr. Allen, for one day.

On motion of Mr. Lockwood,

The action of the rule requiring the reading of the journal was suspended.

Mr. Tilden presented the petition of James M. Chamberlain and

one hundred and forty others, for the incorporation of a company to construct a plank road from the city of Monroe to the village of Newport; referred to the committee on banks and incorporations.

Mr. Bacon presented the petition of James H. Hale and one hundred others, for an extension of the charter of the Farmers' and Mechanics' bank of Michigan; laid on the table.

Mr. Burk presented the petition of C. F. Howe and others, of Berrien county, for the vacation of the plat of the village of Bloomington, in said county; referred to the committee on the judiciary.

Mr. McNeil presented the petition of James Kipp and twenty other inhabitants of the county of Genesee, in relation to the tax laws; referred to the committee on ways and means.

Mr. McNeil also presented the petition of E. Rockefeller and forty other inhabitants of the counties of Genesee, Oakland and Lapeer, for the restoration of the law providing for capital punishment; referred to the committee on the judiciary.

Mr. Hammond presented the petition of Amos Gould and two hundred and four others, relative to a certain state road in Shiawassee county; referred to the committee on roads and bridges.

Mr. Hammond also presented the petition of Amos Gould and two hundred and ninety-three others, for the vacation of the county site of Shiawassee county; referred to the committee on the organization of townships and counties.

Mr. Parkhurst presented the petition of Loren L. Treat and forty-one others, of Oakland county, for an appropriation of internal improvement lands to improve the road leading from Pontiac to Lapeer; referred to the committee on internal improvement.

Mr. J. W. Turner presented the petition of Thomas Bates and two hundred and eighty-three others, of Lenawee and Hillsdale counties, for the organization of a new county from parts of said counties; referred to the committee on the organization of townships and counties.

Mr. Penoyer presented the memorial of Stephen L. Lowing, of Ottawa county, asking that authority be given to the county court of said county to grant divorces; referred to the committee on the judiciary.

The Speaker presented the memorial of Joshua Moore, relative to a certain claim; referred to the committee on claims.

The Speaker also presented the memorial of the board of trustees of the Olivet institute, asking that authority be given to a certain minor to convey to them certain real estate; referred to the committee on the judiciary.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly engrossed, viz :

A bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan; and

A bill to authorize the wardens and vestry of Trinity church in Marshall, to convey certain real estate.

Mr. Coe, from the committee on the judiciary, to whom was referred the Senate bill to amend chapter one hundred and six of title twenty-two of the revised statutes, reported the same back without amendment and recommended its passage, which report was accepted, and the committee discharged from the further consideration of the subject; and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Coe, from the same committee, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz :

The committee on the judiciary, to whom was referred the petition of Spencer Putnam and others, minors, asking to be authorized by legislative enactment to convey certain real estate, have had the same under consideration, and respectfully beg leave to report :

That chapter seventy-eight of the revised statutes of 1846, provides that "when it shall satisfactorily appear to the court upon the petition of any guardian, that it would be for the interest of his ward that his real estate, or any part thereof, should be sold, &c., his guardians may sell the same," &c. The guardian is required to give bond for the faithful discharge of his duties, and many other guards are thrown around the minor, which the committee think are judicious.

The petitioners ask that all these guards should be removed, and they be left free to act in the premises as if they were of full age.

The committee have no *positive* evidence that the minor heirs mentioned in the petition are any more precocious than other children



of the same age in this state, and deeming the attempt to legislate striplings into full grown men, as unwise and injudicious, report the petition back to the House with the recommendation that the prayer thereof be not granted, and ask to be discharged from the further consideration of the subject.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the Senate bill to amend an act entitled an act to incorporate the Kalamazoo and Three Rivers plank road company, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and,

The bill was referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom were referred the bill to incorporate the Monroe and Newport plank road company, and

The bill to incorporate the Lansing coal company, reported the same back without amendment, and recommended their passage, which report was accepted, and the committee discharged from the further consideration of the subjects, and

The bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the Senate bill to amend sections thirty-one and fifty-two of chapter twenty of the revised statutes of 1846, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Pennoyer, from the same committee, to whom was referred the Senate bill to exempt certain property from taxation, reported the same back without amendment and asked to be discharged from its further consideration, which report was accepted and the committee discharged, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the same committee, reported a bill relative to certain taxes in the township of Norton, in the county of Ottawa,

which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. Pennoyer,

The rule was ~~suspended to enable~~ the bill to be read the third time to-day, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. Campbell, from the committee on internal improvement, to whom was recommitted the bill for the improvement of the road leading from Grand Blanc to the Thread mills, in the county of Genesee, reported the same back amended in accordance with the instructions of the House, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be read the third time.

Mr. Deming, from the committee on roads and bridges, to whom was referred the bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 26, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit to you the following entitled bill and joint resolutions, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A. bill to authorize the minor heirs of William Mochmoer to convey certain real estate;

Joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence in favor of a reduction of postage; and

Preamble and joint resolution relative to the construction of a road from Saginaw to Michilimackinac and the Saut Ste Marie.

I am further instructed to return herewith, a bill to authorize Almeron Newman, James Newman, Peter M. Kind, Asa C. Davis and William D. Disbro to build a dam across Grand river, in the

county of Ionia, and to respectfully inform you that the Senate have concurred therein; also

Joint resolution requiring reports from certain special commissioners;

Which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked; and

A bill to repeal section twelve of an act to amend the revised statutes of 1846, approved April 3, 1848;

Which the Senate have passed with one amendment to the title, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to authorize Almeron Newman, James Newman, Peter M. Kind, Asa C. Davis and William D. Disbre to build a dam across Grand river, in the county of Ionia, was ordered to be enrolled.

The Senate bill to authorize the minor heirs of William Mochmoer to convey certain real estate, was read twice and referred to the committee on the judiciary.

The Senate joint resolutions instructing our Senators and requesting our Representatives in Congress to use their influence in favor of a reduction of postage, and

The Senate preamble and joint resolutions relative to the construction of a road from Saginaw to Michilimackinac and the Sant Ste Marie,

Were severally read twice and referred to the committee on federal relations.

The Senate amendments to the bill to repeal section twelve of an act to amend the revised statutes of 1846, approved April 3, 1848 and

To the joint resolution requiring reports from certain special commissioners,

Were severally concurred in, and the bill and joint resolution were ordered to be enrolled.

On motion of Mr. Chittenden,

The committee of the whole were discharged from the further consideration of the bill to attach certain portions of the township of

Hamtramck, in the county of Wayne, to the township of Grosse Point in said county, and

The bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. J. W. Turner,

*Resolved*, That during the present week this House will hold two sessions daily, commencing at half past nine o'clock A. M., and at half past two o'clock P. M., each day.

On motion of Mr. H. H. Comstock,

*Resolved*, That the Sergeant-at-Arms, under the direction of the Clerk, be and he is hereby directed to take exclusive charge of the Hall of the House of Representatives during the adjournment of the House, and protect from waste, spoil or plunder, the books and stationery of its members.

Mr. Parkhurst offered the following resolution, which was rejected, viz:

*Resolved*, That one thousand copies of the Senate report on the general revision of the constitution, be ordered printed for the use of the House.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill to legalize the plats of the villages of Orion and New Canandaigua City, in the township of Orion, in the county of Oakland, which was read twice and referred to the committee on the judiciary.

Mr. McNair offered the following concurrent resolution, which was laid on the table, under the rule, viz:

*Resolved*, (the Senate concurring,) That this legislature will adjourn *sine die* on the nineteenth day of March next.

Mr. Coe offered the following resolution:

*Resolved*, That fifteen hundred copies of the history of the late war between "old hunkers" and "barnburners," entitled "Free Thoughts on politics and politicians in Michigan," by Hon. Charles A. Loomis, be printed for the use of the rising generation.

On motion of Mr. Stevens,

The resolution was laid on the table.

Mr. Lovell gave notice that on some future day he would ask leave to introduce a bill to amend an act entitled an act to amend an act

entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848.

Mr. H. H. Comstock moved to take from the table the concurrent resolution fixing the day of adjournment, offered by him on the twenty-second instant, which motion prevailed by the following vote:

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. Mulhollen,
Bacon,	Earl,	Parkhurst,
Belding,	A. Gillet,	Pennoyer,
Burk,	M. S. Gillett,	St. Clair,
Cady,	Harger,	Stevens,
Campbell,	Hawley,	Stoddard,
Chamberlain,	Hobart,	Tilden,
Chittenden,	Holmes,	G. B. Turner,
Coman,	Ingersoll,	J. W. Turner,
H. H. Comstock,	Lovell,	Tuttle,
O. C. Comstock,	Matthews,	Waite,
Curtis,	McNair,	Wilkinson,
David,	Mosher,	Speaker,
Dayton,		

40

## NAYS.

Mr. Andrews,	Mr. Cbe,	Mr. Moran,
Bowne,	Giddings,	O'Malley,
Buck,	McNeil,	Smith,

9

Mr. Hawley moved that the resolution be amended by striking out the words "Monday the fifth," and inserting "Tuesday the twentieth."

Mr. Parkhurst moved to amend the amendment by striking out "Tuesday the twentieth," and inserting "Monday the twenty-sixth," which motion was lost, and

The original amendment agreed to.

Mr. Ingersoll moved that the resolution be laid on the table, which motion was lost.

Mr. Ingersoll moved to amend the resolution by striking out all after the word "resolved," and inserting "that no new business, except from the Senate, shall be received by this House after the tenth day of March next," which amendment was rejected.

The concurrent resolution was then adopted, by the following vote:

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. Parkhurst,
Andrews,	M. S. Gillett,	Pennoyer,
Bacon,	Hammond,	Smith,

Belding,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
Curtis,  
David,  
Dayton,

Harger,  
Hawley,  
Hobart,  
Holmes,  
Lovell,  
Matthews,  
McNair,  
McNeil,  
Mosher,  
Mulhollen,

St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Tuttle,  
Waite,  
Wilkinson,  
Speaker,

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## NAYS.

Mr. Bowne,  
O. C. Comstock,  
A. Gillet,

Mr. Ingersoll,  
Lockwood,

Mr. Moran,  
O'Malley,

7

Mr. Deming offered the following resolution:

*Resolved*, That from and after the tenth day of March next, no more bills or new matter of any kind, except such as may be sent from the Senate to the House for its action, and the general appropriation bill, will be received or acted upon by the House, communications of the executive and state officers excepted.

Mr. Hawley offered the following as a substitute for the resolution, viz:

*Resolved*, That the standing committees of this House be required to report upon all matters referred to them on or before the twelfth of March next,

Pending which,

On motion of Mr. Buck,

The whole subject was laid on the table.

On motion of Mr. H. H. Comstock,

The bill to amend an act entitled an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan, was taken from the table, and

It was ordered to be engrossed and read the third time.

On motion of Mr. Chittenden,

The committee of the whole were discharged from the further consideration of the bill to amend the charter of the city of Detroit, and

It was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, the bill was placed on the order of bills for a third reading.

Mr. Pennoyer moved that the committee of the whole be discharged from the further consideration of the bill to vacate a portion of the plat of the village of Grand Rapids, in the county of Kent, which motion was lost.

On motion of Mr. O. C. Comstock,

The committee of the whole were discharged from the further consideration of the bill requiring the commissioner of the state land office to make an annual report to the regents of the University of Michigan.

Mr. O. C. Comstock moved that the bill be amended by transposing the fifth and sixth sections, which motion prevailed.

The bill was then ordered to be engrossed and read the the third time, and the engrossment having been dispensed with, was placed on the order of bills for a third reading.

The bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848, was read the third time and passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Moran,
Andrews,	Deming,	Mosher,
Bacon,	Earl,	Mulhollen,
Bowne,	A. Gillet,	O'Malley,
Buck,	M. S. Gillett,	Parkhurst,
Burk,	Harger,	Smith,
Cady,	Hawley,	St. Clair,
Campbell,	Hobart,	Stevens,
Chamberlain,	Holmes,	Stoddard,
Chittenden,	Lockwood,	Tilden,
Coe,	Lovell,	J. W. Turner,
Coman,	Matthews,	Tuttle,
H. H. Comstock,	McNair,	Wilkinson,
O. C. Comstock,	McNeil,	Speaker,
Curtis,		

43

## NAYS.

Mr. Giddings,	Mr. Waite,	2
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The bill to authorize Townsend North to build a dam across Cass river, and

The bill to authorize the wardens and vestry of Trinity church in Marshall, to convey certain real estate,

Were severally read the third time and passed.

The bill for the improvement of the road leading from Grand

Blanc to the Thread mills, in the county of Genesee, was read the third time and passed, by the following vote:

## YEAS

Mr. Allen,	Mr. Earl,	Mr. McNeill,
Andrews,	Giddings,	Moran,
Belding,	A. Gillet,	Mosher,
Buck,	Hammond,	Mulhollen,
Burk,	Harger,	O'Malley,
Chittenden,	Hobart,	Parkhurst,
Coe,	Holmes,	Pennoyer,
Coman,	Ingersoll,	Smith,
H. H. Comstock,	Lockwood,	St. Clair,
O. C. Comstock,	Lovell,	Stoddard,
David,	Matthews,	Tilden,
Dayton,	McNair,	Speaker,
Deming,		

37

## NAYS.

Mr. Bacon,	Mr. M. S. Gillett,	Mr. J. W. Turner,
Cady,	Hawley,	Tuttle,
Campbell,	Stevens,	Waite,
Chamberlain,	G. B. Turner,	Wilkinson,
Curtis,		

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On motion of Mr. Bacon,  
The House adjourned.

## AFTERNOON SESSION.

*Half past two o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The following entitled bills and joint resolutions were severally read the third time and passed, viz:

A bill relative to certain taxes in the township of Norton, county of Ottawa;

A bill to attach certain portions of the township of Hamtramck, in the county of Wayne, to the township of Grosse Point, in said county;

A bill requiring the commissioner of the state land office to make an annual report to the regents of the University of Michigan;

A bill to amend the charter of the city of Detroit; and

A Joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville.



The bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, was read the third time, when

Mr. Matthews moved that it be laid on the table, which motion prevailed, by the following vote:

## YEAS.

Mr. Andrews,	Mr. A. Gillet,	Mr. Mulhollen,
Belding,	M. S. Gillett,	O'Malley,
Bowne,	Hammond,	Parkhurst,
Buck,	Harger,	Smith,
Cady,	Hawley,	St. Clair,
Chittenden,	Hobart,	Stevens,
Coe,	Holmes,	Stoddard,
Coman,	Lockwood,	Tilden,
O. C. Comstock,	Lovell,	Turrill,
Curtis,	Matthews,	Waite,
David,	McNeil,	Speaker,
Earl,	Moran,	

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## NAYS.

Mr. Bacon,	Mr. McNair,	Mr. G. B. Turner,
Burk,	Mosher,	Tuttle,
Chamberlain,	Pennoyer,	

8

The House resolved itself into committee of the whole on the general order, Mr. G. B. Turner in the chair.

After spending some time thereon the committee rose, and by their chairman, reported back without amendment,

A bill to vacate a portion of the plat of the village of Grand Rapids in the county of Kent;

A bill to provide for laying out a state road from Ceresco mills in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county.

A bill to authorize James S. Pitts to convey real estate;

A bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846;

A bill to repeal an act entitled an act to prevent the circulation of foreign notes;

A bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company; and.

A bill to amend an act entitled an act to incorporate the Flint and Saginaw navigation company;

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to amend chapter twenty-four of the revised statutes of 1846;

A bill authorizing the erection of a dam across Flat river;

A bill to provide for laying out a state road from Richland, in Kalamazoo county, to Hastings, in Barry county; and

A joint resolution instructing the Attorney-General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury.

On motion of Mr. Waite,

The House adjourned.

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*Tuesday, February 27, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Ferguson, Fox, Haight, Kilborn, Morton, Salyer and Wright were absent on leave, and Messrs. Flower, Hartsuff, Hatch, and Moffat were absent without leave.

Mr. Hobart asked and obtained leave of absence for Mr. Moffat for two days.

Mr. Buck for Mr. Hartsuff, for one day.

On motion of Mr. Pennoyer,

The action of the rule requiring the reading of the journal, was suspended.

Mr. Chamberlain presented the petition of J. Beeson, and others, of Berrien county, for the passage of an act of incorporation for the Niles hydraulic and manufacturing company; referred to the committee on banks and incorporations.

Mr. Pennoyer presented the petition of Lieutenant Robert M. Collins, asking for compensation for services in raising the volunteer regiment called from this state to serve in the late war with Mexico; referred to the committee on claims.

Mr. J. W. Turner presented the petition of H. Goodrich and one hundred and five others, and of Timothy Johnson and twenty-seven others, for the organization of a new county, from portions of the counties of Lenawee and Hillsdale; referred to the committee on the organization of townships and counties.

Mr. J. W. Turner also presented the petition of M. H. Webb and eighty-two others, for the laying out of a state road on the county line between the counties of Hillsdale and Lenawee, from the Ohio state line north to the village of Hudson; referred to the committee on roads and bridges.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported the bill to amend an act entitled an act to establish an asylum for the deaf and dumb, and blind, and also an asylum for the insane of the state of Michigan, as correctly engrossed.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to repeal section twelve of an act to amend the revised statutes of 1846, approved April third, 1848; and

A bill to authorize Norman A. Harrington, of Ingham; to convey certain real estate.

Mr. Deming, from the committee on roads and bridges, reported a bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom was referred the bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent, and making appropriations therefor, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Chamberlain, from the committee on federal relations, to whom were referred the Senate joint resolutions instructing our Senators and requesting our Representatives in Congress to use their influence in favor of a reduction of postage, and

The Senate preamble and joint resolutions relative to the construction of a road from Saginaw to Michilimackinac and the Sault Ste. Marie,

Reported the same back without amendment and recommended

their passage, which report was accepted and the committee discharged from the further consideration of the subjects, and

The preamble and joint resolutions were referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to incorporate the Decatur, Lawrence and Breedsville plank road company, and

A bill to authorize the Cottonwood Swamp turnpike company to lay out and construct a certain plank road, and for further purposes,

Which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, February 27, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit to you the following entitled bills, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill amending an act relative to plank roads, approved March 13, 1848, and

A bill to appropriate four hundred acres of internal improvement land to aid in constructing a bridge across the Thornapple river, in the township of Caledonia, in Kent county.

I am further instructed to return herewith a bill to authorize the assessors of the second ward of the city of Monroe to levy a certain tax, and to respectfully inform you that the Senate have concurred therein.

I am further instructed to inform you that the Senate have concurred in the amendments of the House to a bill for the improvement of Flat river, in the county of Montcalm, Ionia and Kent, and have ordered the same as amended, to be enrolled.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to authorize the assessors of the second ward of the city of Monroe to levy a certain tax, was ordered to be enrolled.

The Senate bill to appropriate four hundred acres of internal improvement land to aid in constructing a bridge across the Thornapple

river, in the township of Caledonia, in Kent county, was read twice and referred to the committee on roads and bridges.

The Senate bill amending an act relative to plank roads, approved March 13, 1848, was read twice and referred to the committee on banks and incorporations.

Mr. O. C. Comstock offered the following preamble and resolution, which were unanimously adopted:

*Whereas*, In the opinion of this House, a manual on the subject of popular education, embracing such considerations as shall have a tendency to arouse the popular mind to a due appreciation of the importance—in a political, social, moral and religious point of view—of securing to every child in all our borders, a good common school education, together with such instructions to citizens and teachers, as shall constitute a directory to the highest improvement of which our primary schools are susceptible, is a desideratum; therefore

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the Hon. Ira Mayhew, the present superintendent of public instruction in this state, be requested to prepare for publication, in book form, the various matters set forth in his public lectures delivered by request of the legislature, in the Hall of the House, during the present session, together with such other matter as, in his judgment, would tend to the further improvement of our system of public instruction; to the end that the necessary information in regard to this subject may be diffused throughout the state and nation.

On motion of Mr. Lockwood,

The following resolution was taken from the table:

*Resolved*, That the Sergeant-at-Arms *pro tempore*, be sent for the Hon. Mr. Hatch, and bring him to the bar of this House forthwith, if found in good health.

The question being on the motion to amend the resolution by striking out the words, "the Sergeant-at-Arms *pro tempore*," and inserting "Johnson Niles," it was decided in the affirmative.

Mr. Holmes moved that the resolution be laid on the table, which motion was lost.

Mr. M. S. Gillett moved that its further consideration be indefinitely postponed, which motion did not prevail.

The resolution was then adopted.

The bill to amend an act entitled an act to establish an asylum for

the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan, was read the third time and passed.

The House having arrived at the order of unfinished business, took up the bill to amend an act entitled an act to incorporate the Flint and Saginaw navigation company, and

On motion of Mr. H. H. Comstock,

It was laid on the table.

The bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, was taken up, and

On motion of Mr. David,

Laid on the table.

The bill to repeal an act entitled an act to prevent the circulation of foreign notes was taken up, when

Mr. Giddings moved that it be laid on the table, which motion was lost, and

The bill was ordered to be engrossed and read the third time, by yeas and nays, as follows :

#### YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Mosher,
Andrews,	A. Gillet,	Mulhollen,
Bowne,	M. S. Gillett,	Pennoyer,
Cady,	Hammond,	Smith,
Campbell,	Harger,	St. Clair,
Chittenden,	Hawley,	Stevens,
Coe,	Hobart,	Stoddard,
Coman,	Ingersoll,	Tilden,
O. C. Comstock,	Lockwood,	G. B. Turner,
Curtis,	Lovell,	J. W. Turner,
David,	Matthews,	Turrill,
Dayton,	McNair,	Tuttle,
Deming,	Moran,	Wilkinson,
Earl,		

40

#### NAYS.

Mr. Bacon,	Mr. Chamberlain,	Mr. Parkhurst,
Belding,	H. H. Comstock,	Waite,
Buck,	McNeil,	Speaker,
Burk,	O'Malley,	

14

The bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, was taken up, when

Mr. Coe moved that it be recommitted to the committee on the judiciary, with instructions to amend the same, so as to contain the section as amended, which motion prevailed.

The bill to authorize James S. Pitts to convey real estate, was taken up, and

On motion of Mr. J. W. Turner,

Amended by inserting the words "or any other person," after "George Thomas," in the second line of section one.

The bill was then ordered to be engrossed and read the third time.

Mr. David moved a suspension of the rule prescribing the order of business.

The Speaker decided the motion to be out of order, as the House had passed the order of motions, resolutions and notices.

Mr. Hawley appealed from that decision and the question being, "shall the decision of the Chair stand as the judgment of the House?" it was decided in the negative by the following vote:

## YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Parkhurst,
Andrews,	A. Gillet,	Pennoyer,
Bacon,	M. S. Gillett,	Smith,
Belding,	Holmes,	St. Clair,
Bowne,	Lockwood,	Tilden,
Campbell,	Matthews,	G. B. Turner,
Coe,	Mulhollen,	Turrill,
Q. C. Comstock,		

22.

## NAYS.

Mr. Burk,	Mr. Giddings,	Mr. Mosher,
Cady,	Hammond,	O'Malley,
Chamberlain,	Harger,	Stevens,
Chittenden,	Hawley,	J. W. Turner,
H. H. Comstock,	Hobart,	Tuttle,
Curtis,	Ingersoll,	Waite,
David,	McNair,	Wilkinson,
Deming,	Moran,	

23.

The House having decided the motion to suspend the rule to be in order, the question thereon was taken, and decided in the affirmative by a two-thirds vote.

Mr. Hawley moved that the bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, be taken from the table, which motion prevailed, and

The question being on the passage of the bill, it was passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Moran,
Andrews,	A. Gillet,	Mulhollen,
Belding,	M. S. Gillett,	O'Malley,
Campbell,	Hammond,	St. Clair,
Chittenden,	Harger,	Stevens,

45

Coe,	Hawley,	Stoddard,	
H. H. Comstock,	Hobart,	Tilden,	
O. C. Comstock,	Ingersoll,	Turrill,	
David,	Lovell,	Tuttle,	
Dayton,	Matthews,	Waite,	
Earl,	McNeil,	Speaker,	33

## NAYS.

Mr. Bacon,	Mr. Holmes,	Mr. Pennoyer,	
Cady,	Lockwood,	Smith,	
Chamberlain,	McNair,	G. B. Turner,	
Curtis,	Mosher,	J. W. Turner,	
Deming,	Parkhurst,	Wilkinson,	15

Mr. Hawley moved that the last vote be reconsidered, which motion was lost.

The bill to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county, was taken up and ordered to be engrossed and read the third time.

The bill to vacate a portion of the plat of the village of Grand Rapids, in the county of Kent, was taken up, when

Mr. H. H. Comstock moved that it be laid on the table, which motion was lost.

On motion of Mr. Coe,

All after the enacting clause was stricken out of the bill, and its further consideration was indefinitely postponed.

On motion of Mr. David,

The House adjourned.

## AFTERNOON SESSION.

*Half past two o'clock, P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The bill to amend chapter twenty-four of the revised statutes of 1846, was taken up, and the amendments thereto reported by the committee of the whole were severally concurred in, and

The bill was ordered to be engrossed and read the third time.

The bill authorizing the erection of a dam across Flat river was taken up and the amendment reported by the committee of the whole was concurred in, and the bill was ordered to be read the third time.

The bill to provide for laying out and establishing a state road



from Richland, in Kalamazoo county, to Hastings, in Barry county, was taken up, and the amendment reported by the committee of the whole was concurred in, and the bill was ordered to be engrossed and read the third time.

The joint resolution instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury, was taken up, and the amendment reported thereto by the committee of the whole was non-concurred in.

Mr. Pennoyer moved that the further consideration of the joint resolution be indefinitely postponed, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Harger,	Mr. Pennoyer,
Campbell,	Hawley,	Stoddard,
Chittenden,	Kilborn,	Tuttle,
O. C. Comstock,	Matthews,	Wilkinson,
David,	McNair,	Speaker,
Deming,	Mosher,	

17

## NAYS.

Mr. Allen,	Mr. Dayton,	Mr. McNeil,
Bacon,	Earl,	Moran,
Buck,	Giddings,	Mulhollen,
Burk,	M. S. Gillett,	Parkhurst,
Cady,	Hammond,	Smith,
Chamberlain,	Hobart,	Tilden,
Coe,	Holmes,	G. B. Turner,
Coman,	Ingersoll,	J. W. Turner,
H. H. Comstock,	Lockwood,	Turrill,
Curtis,	Lovell,	Waite,

30

The joint resolution was ordered to be engrossed and read the third time.

Mr. Parkhurst moved an adjournment, but the House refused to adjourn.

Mr. Kilborn moved the suspension of the seventeenth rule, for the purpose of allowing members within the bar when the vote was taken by which was passed the bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, and not present when the question was stated by the chair, to record their votes on the question, which motion was lost.

Mr. O'Malley moved that the House adjourn, which motion was lost.

The House then resolved itself into a committee of the whole, on the general order, Mr. Coe in the chair.

And after spending some time thereon, the committee rose and by their chairman reported back to the House, without amendment,

A bill to amend section thirteen of chapter sixty-six of the revised statutes;

A bill to amend section four of chapter eighty-eight of the revised statutes of 1846;

A bill to amend the revised statutes of 1846, relative to university lands, and

A joint resolution rescinding a joint resolution to encourage emigration, approved February 1, 1849;

And also reported the same back with sundry amendments, in which the concurrence of the House was asked,

A bill for the improvement of the Grand river state road;

A bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county; and

A joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb.

On motion of Mr. Stevens,

The House adjourned.

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*Wednesday, February 28, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Ferguson, Fox, Haight, Moffatt, Morton, Salyer and Wright were absent on leave, and Messrs. Flower, Hartsuff and Hatch were absent without leave.

Mr. O. C. Comstock asked and obtained leave of absence for Mr. Hartsuff, for an indefinite period.

On motion of Mr. G. B. Turner,

The action of the rule requiring the reading of the journal was suspended.

Mr. Hammond presented the petition of Calvin Sweet and other citizens of Shiawassee county, relative to a certain state road; referred to the committee on roads and bridges.

Mr. Hammond also presented the petition of Calvin Sweet and twenty-six others, for the vacation of the county site of Shiawassee county; and

The petition of Walter Laing, for the location of the county site of said county on section twenty-four in the township of Bennington; which petitions were referred to the committee on the organization of townships and counties.

Mr. Tilden presented the remonstrance of the mayor, recorder and aldermen of the city of Monroe, against the repeal of section sixteen of an act to amend the revised statutes, approved April 3, 1848; referred to the committee on the judiciary.

Mr. Burk presented the petition of Shadrack Ford and others, of Berrien county, for the passage of a law making it obligatory on the supervisors of said county to build certain bridges; laid on the table.

Mr. Kilborn presented the petition of Charles T. Allen and one hundred and eighteen others, for the passage of an act authorizing the holding of the courts of Ingham county alternately at Mason and Lansing, in said county; referred to the committee on the judiciary.

Mr. Kilborn presented the petition of D. G. McClure and forty-seven others, of Lansing, for an appropriation of money to buy a bell for the capitol; referred to the committee on ways and means.

Mr. Parkhurst presented the petition of George Sliker, for the passage of a law authorizing certain minors to convey real estate; referred to the committee on the judiciary.

Mr. M. S. Gillett presented the petition of William R. Mulford and fifty-three others, for a modification of the present license laws; referred to the committee on state affairs.

Mr. Andrews presented the petition of Henry F. Bowen, and others, of Van Buren county, for the organization of a new township by the name of California; referred to the committee on the organization of townships and counties.

Mr. Pennoyer presented the petition of W. J. Wells and forty other citizens of Grand Rapids, for the passage of an act to vacate a portion of the village plat of Grand Rapids; laid on the table.

Mr. Chittenden, from the majority of the committee on banks and incorporations, to whom was referred the bill to incorporate the St.

Joseph valley railroad company, reported the same back without amendment, and asked to be discharged from its further consideration,

Which report was accepted, the committee discharged, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of Joshua Moore, asking compensation for services as chaplain of the first legislative council of the territory of Michigan, reported adverse to the allowance thereof, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. G. B. Turner, from the same committee, to whom was referred the claim of Lieut. Robert M. Collins, for compensation for services in raising the volunteer regiment called from this state to serve in the late war with Mexico, reported the same back without action, and asked to be discharged from its further consideration, which report was accepted and the committee discharged.

Mr. Coe, from the committee on the judiciary, to whom was referred the bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, reported the same back amended in accordance with the instructions of the House, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be engrossed and read the third time.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to authorize Almeron Newman, James Newman, Peter M. Kind, Asa C. Davis and William D. Disbro, to build a dam across Grand river, in the county of Ionia; and:

A bill to authorize the assessors of the second ward of the city of Monroe to levy a certain tax.

Mr. Parkhurst, from the same committee, reported that the following entitled bills and joint resolution were correctly engrossed, viz:

A bill to authorize James S. Pitts to convey real estate;

A bill to repeal an act entitled an act to prevent the circulation of foreign notes;

A bill to amend chapter twenty-four of the revised statutes of 1846;

A bill to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in Barry county;

A bill to provide for laying-out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county; and

A joint resolution instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury.

The following communication was announced :

EXECUTIVE OFFICE,  
*Lansing, February 27th, 1849.*

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to repeal section twelve of an act to amend the revised statutes of 1846, approved April 3, 1848, and to restore section forty-nine of chapter one hundred and fifty-four of the revised statutes.

Also an act to authorize Norman A. Harrington of the county of Ingham, to convey certain real estate.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER,  
*Lansing, February 28, 1849.*

*To the Speaker of the House of Representatives:*

Sir:—I am instructed to transmit herewith, the following entitled bill and joint resolutions, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz :

A bill to provide for the support of the system of international exchanges;

Joint resolution of thanks to M. Vattermare;

Joint resolution relative to the donation of a lot in the town of Lansing;

Joint resolution relative to the claim of John Almy; and

Joint resolution relative to certain claims growing out of the expenses incurred from the raising, subsisting and mustering into service the first regiment of Michigan volunteers.

I am further instructed to return herewith the following entitled

bill, and to respectfully inform you that the Senate have concurred therein, viz :

A bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes.

Also the following entitled joint resolutions which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz :

Joint resolution in relation to the transportation of the United States mail through Canada; and

Joint resolution relative to publishing the reports of the superintendent of public instruction.

I am further instructed to respectfully inform you that the Senate have concurred in the amendment of the House to a bill for the improvement of the road leading from Grand Blanc to the Thread mills, in the county of Genesee, and have ordered the same as amended, to be enrolled.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the State of Michigan, and for other purposes, was ordered to be enrolled.

The bill to provide for the support of the system of international exchanges, was read twice and referred to the committee on the state library.

The Senate joint resolution of thanks to Mr. Vattermare, was read twice and referred to the committee on state affairs.

The Senate joint resolution relative to the donation of a lot in the town of Lansing, was read twice and referred to the committee on public lands.

The Senate joint resolution relative to the claim of John Almy, was read twice and referred to the committee on claims.

The Senate joint resolution relative to certain claims growing out of the expenses incurred for raising, subsisting and mustering into service the first regiment of Michigan volunteers, was read twice, when

On motion of Mr. J. W. Turner,

The rules were suspended so as to enable the joint resolution to receive its third reading to-day; and

It was ordered to be read the third time.

The Senate amendments to the joint resolution relative to publishing the reports of the superintendent of public instruction, and

To the joint resolution in relation to the transportation of the United States mail through Canada,

Were severally concurred in, and the joint resolutions were ordered to be enrolled.

On motion of Mr. Lovell,

*Resolved*, That the Auditor General be and he is hereby required to furnish to this House, without any unnecessary delay, a succinct statement of the public debt of this state, exhibiting the times, commencing with the shortest and ending with the longest, when the principal is to be paid, and the purposes for which said debt was created.

Mr. Pennoyer gave notice that he would on some future day ask leave to introduce a bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants now settling in the counties of Ottawa and Allegan, approved February 3, 1848.

Mr. H. H. Comstock, pursuant to previous notice, asked and obtained leave to introduce a bill for the relief of Indians, which was read twice and referred to the committee on state affairs.

On motion of Mr. Hawley,

*Resolved*, That the afternoon session of this House shall hereafter commence at two o'clock P. M., until otherwise ordered.

Mr. Chittenden gave notice that on some future day he would ask leave to introduce a bill to incorporate the North-western health company, and

A bill to incorporate the Detroit fire and marine insurance company.

Mr. O. C. Comstock gave notice that he would on some future day ask leave to bring in a bill to enlarge the powers and increase the number of officers in school districts in certain cases.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill authorizing the holding of the courts in the county of Ingham alternately at Mason and Lansing, which was read twice and referred to the committee on the judiciary.

Mr. Ingersoll offered the following resolution:

*Resolved*, That hereafter the House will hold evening sessions, to commence at half past four o'clock, P. M., until otherwise ordered-

On motion of Mr. Allen,

The resolution was laid on the table.

Mr. Kilborn presented the following protest to be entered on the journal:

The undersigned, members of this House, respectfully represent, that the majority of this legislature, by refusing to extend to us the courtesy of suspending a rule of the House, prohibiting members not within the bar at the stating of a question by the chair to cast their vote on the question pending, have placed us in a position from which it may be inferred that we sought to dodge the question; we therefore beg leave to state that we were necessarily absent at the stating of the question, but came within the bar while the yeas and nays were being taken, and asked the privilege of recording our votes in the negative, which was not granted; we therefore respectfully but most earnestly *protest* against the action of the majority of this House in the passage of a bill extending for a limited time the charter of the Farmers' and Mechanics' bank, believing most firmly that the wishes of a large majority of the democracy of this state have been disregarded in the passage of said bill, and particularly in refusing to the bill-holder the only reliable security, which might have been obtained by state stock securities immediately after the expiration of the present charter.

J. H. KILBORN,

A. L. BURK.

The following entitled bills and joint resolution were severally read the third time and passed, viz:

A bill to repeal an act entitled an act to prevent the circulation of foreign notes;

A bill to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in Barry county;

A bill to authorize James S. Pitts to convey real estate;

A bill to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county;

A bill to amend chapter twenty-four of the revised statutes of 1846;

A bill to authorize the erection of a dam across Flat river; and



A joint resolution relative to certain claims growing out of the expenses incurred for the raising, subsisting and mustering into service the first regiment of Michigan volunteers.

The joint resolution instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury, was read the third time, when

Mr. H. H. Comstock moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question, being on the passage of the joint resolution, was then taken, and it was decided in the affirmative by the following vote:

## YEAS.

Mr. Allen,	Mr. Curtis,	Mr. McNeil,
Bacon,	Dayton,	Mulhollen,
Belding,	Earl,	Parkhurst,
Bowne,	Giddings,	Smith,
Buck,	A. Gillet,	Stoddard,
Burk,	Hammond,	Tilden,
Cady,	Harger,	G. B. Turner,
Chamberlain,	Hobart,	J. W. Turner,
Coe,	Holmes,	Turrill,
Coman,	Ingersoll,	Waite,
H. H. Comstock,	Lockwood,	32

## NAYS.

Mr. Andrews,	Mr. Kilborn,	Mr. Pennoyer,
Campbell,	Lovell,	St. Clair,
Chittenden,	Matthews,	Stevens,
O. C. Comstock,	McNair,	Tuttle,
David,	Moran,	Wilkinson,
Deming,	Mosher,	Speaker,
M. S. Gillett,		19

Mr. Giddings moved a reconsideration of the last vote, which motion was,

On motion of Mr. J. W. Turner,  
Laid on the table.

The Sergeant-at-Arms reported that he had brought Mr. Flower to the bar of the House.

On motion of Mr. Chittenden,

Mr. Flower was discharged from the custody of the Sergeant-at-Arms, and he thereupon took his seat.

The House having arrived at the order of unfinished business,

took up the bill to amend section thirteen of chapter sixty-six of the revised statutes, and it was ordered to be engrossed and read the third time.

The bill to amend section four of chapter eighty-eight of the revised statutes was taken, up, and

On motion of Mr. Coe,

Recommitted to the committee on the judiciary, with instructions to incorporate the section of the statutes as amended, in the bill.

The bill to amend the revised statutes of 1846, relative to university lands, was taken up, and ordered to be engrossed and read the third time.

The joint resolution rescinding the joint resolution to encourage emigration, approved February 1, 1849, was taken up, and

On motion of Mr. Coe,

Laid on the table.

The bill for the improvement of the Grand river state road was taken up, and the amendment to, being a substitute for, the bill, was concurred in, and it was ordered to be engrossed and read the third time.

The bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county, was taken up, and the amendments thereto reported by the committee of the whole were severally concurred in.

On motion of Mr. G. B. Turner,

The following proviso was added to section one of the bill, viz:

*“Provided, That none of the expenses attending the construction or repairs of said bridges shall become a charge upon the state, nor shall the state become answerable in any wise for any damages arising from the construction of said bridges, or any of them.”*

Mr. Giddings moved that all after the enacting clause of the bill be stricken out;

Pending which,

On motion of Mr. H. H. Comstock,

The bill was laid on the table.

Mr. Flower made a statement of the causes which had detained him for some length of time from attending the sessions of the House when

Mr. J. W. Turner offered the following resolution:

*Resolved*, That the Hon. Mr. Flower has shown good and sufficient cause for his absence, and that his character as a statesman or citizen ought not to be injured by the previous action of this House.

Mr. Hawley offered the following substitute for the resolution:

*Resolved*, That the reasons given by the Hon. Mr. Flower, accounting for his absence from the sessions of this House, be, and are hereby unanimously considered satisfactory;

Which substitute was concurred in, and the resolution as amended, was then adopted.

On motion of Mr. Stevens,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The special order, being the bill to amend an act entitled an act to authorize the sale of the Southern railroad, and to incorporate the Michigan Southern railroad company, was taken up, when.

Mr. G. B. Turner moved to amend the same by adding the following, to stand as section nine, viz:

"Sec. 9. The said company shall annually, after the passage of this act, cause to be laid upon the main line of their road, at such place or places as said company may deem best, at least five miles of track of heavy iron rails, which shall weigh not less than sixty pounds to the yard, until the whole of the said lines shall be laid with such rails; and for each and every failure to lay the amount with such rails, as required in this section, said company shall forfeit and pay to the state of Michigan the sum of ten thousand dollars annually, until said amount of track shall be laid; and so much of section nineteen of the act, to which this act is amendatory, as is inconsistent with this section, is hereby repealed;"

Which amendment was rejected, by yeas and nays, as follows:

YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,

Mr. David,  
Deming,  
Hawley,  
Kilborn,

Mr. Pennoyer,  
Stevens,  
G. B. Turner,  
Tuttle,

Burk,  
Campbell,  
Chamberlain,  
Chittenden,

McNair,  
Mosher,  
Parkhurst,

Waite,  
Wilkinson,  
Speaker,

22

## NAYS

Mr. Buck,  
Cady,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
Dayton,  
Earl,

Mr. Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Harger,  
Hobart,  
Holmes,  
Ingersoll,  
Lockwood,

Mr. Lovell,  
Matthews,  
McNeil,  
Mulhollen,  
O'Malley,  
Smith,  
Stoddard,  
Tilden,  
J. W. Turner, 27

Mr. Chamberlain moved to amend section one by adding thereto the following:

The said company shall build and complete the said road to Niles, in the county of Berrien, on or before the first day of January, 1860, and in case they shall not complete said road to Niles as aforesaid, they shall forfeit and pay to the state of Michigan the sum of twenty-five thousand dollars for each and every year until the same is completed.

Which motion was lost, by the following vote:

## YEAS.

Mr. Andrews,  
Bacon,  
Belding,  
Burk,  
Chamberlain,

Mr. Deming,  
McNair,  
Mosher,  
Parkhurst,

Mr. Pennoyer,  
G. B. Turner,  
Wilkinson,  
Speaker,

13

## NAYS.

Mr. Allen,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
David,  
Dayton,

Mr. Earl,  
Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Harger,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,

Mr. Lovell,  
Matthews,  
McNeil,  
Mulhollen,  
O'Malley,  
Smith,  
Stevens,  
Stoddard,  
Tilden,  
J. W. Turner,  
Tuttle,  
Waite, 36

Mr. Pennoyer moved to amend by adding the following to stand as the ninth section:

"Sec. 9. Said company shall at all times receive and discharge

persons and property at all such warehouses and places along the line of said railroad, and at all such warehouses and places that may be on any side track on the side of said rail road, as such persons, consignees or owners of such property may direct or require, and on refusal or neglect for the space of ten days, under a penalty to the state of Michigan of five hundred dollars in each case;"

Which section was not agreed to.

Mr. Ingersoll moved that all after the enacting clause of the bill be stricken out, which motion was lost.

The bill was then ordered to be read the third time by the following vote:

## YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Lovell,	
Bowne,	A. Gillet,	Matthews,	
Buck,	Haight,	McNeil,	
Cady,	Hammond,	Mulhollen,	
Coe,	Harger,	O'Malley,	
Coman,	Hawley,	Smith,	
H. H. Comstock,	Hobart,	Stoddard,	
O. C. Comstock,	Holmes,	Tilden,	
Curtis,	Ingersoll,	J. W. Turner,	
Dayton,	Kilborn,	Turrill,	
Earl,	Lockwood,	Speaker,	33

## NAYS.

Mr. Andrews,	Mr. Chittenden,	Mr. Stevens,	
Bacon,	Deming,	G. B. Turner,	
Belding,	McNair,	Tuttle,	
Burk,	Mosher,	Waite,	
Campbell,	Parkhurst,	Wilkinson,	
Chamberlain,	Pennoyer,		17

Mr. Parkhurst moved that the House adjourn, which motion was lost.

On motion of Mr. Coe,

The action of the thirty-ninth rule was suspended, and

The bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan Southern railroad company, was read the third time,

And the question being on its passage,

It was decided in the negative, by the following vote, two-thirds not voting in the affirmative:

## YEAS.

Mr. Allen,	Mr. A. Gillet,	Mr. Matthews,
Bowne,	Haight,	McNeil,
Buck,	Hammond,	Mulhollen,
Coe,	Harger,	O'Malley,
Coman,	Hobart,	Smith,
H. H. Comstock,	Holmes,	Stoddard,
O. C. Comstock,	Ingersoll,	Tilden,
Dayton,	Kilborn,	J. W. Turner,
Earl,	Lockwood,	Turrill,
Giddings,	Lovell,	Speaker, 30

## NAYS.

Mr. Andrews,	Mr. Chittenden,	Mr. Parkhurst,
Bacon,	Curtis,	Pennoyer,
Belding,	David,	Stevens,
Burk,	Deming,	G. B. Turner,
Cady,	Hawley,	Tuttle,
Campbell,	McNair,	Waite,
Chamberlain,	Mosher,	Wilkinson, 21

Mr. Hawley moved a reconsideration of the last vote;

Pending which,

Mr. G. B. Turner moved an adjournment, but the House refused to adjourn.

And the question recurring on the motion to reconsider, it prevailed.

Mr. Buck moved that the House adjourn, which motion was lost.

Mr. McNair moved a call of the House, which was not ordered.

The question then being on the passage of the bill, it was passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. Haight,	Mr. McNeil,
Bowne,	Hammond,	Mulhollen,
Buck,	Harger,	O'Malley,
Coe,	Hobart,	Smith,
Coman,	Holmes,	Stoddard,
H. H. Comstock,	Ingersoll,	Tilden,
O. C. Comstock,	Kilborn,	J. W. Turner,
Dayton,	Lockwood,	Turrill,
Earl,	Lovell,	Waite,
Giddings,	Matthews,	Speaker, 31
A. Gillet,		

## NAYS.

Mr. Bacon,	Mr. David,	Mr. Pennoyer,
Burk,	Deming,	Stevens,

Cady,	Hawley,	G. B. Turner,	
Chamberlain,	McNair,	Tuttle,	
Curtis,	Mosher,	Wilkinson,	15

On motion of Mr. Bowne,  
The House adjourned.

*Thursday, March 1, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Ferguson, Fox, Hartsuff, Morton, Salyer, and Wright, were absent on leave, and Mr. M. S. Gillett was absent without leave.

Mr. St. Clair asked and obtained leave of absence for Mr. M. S. Gillett, for an indefinite period.

On motion of Mr. G. B. Turner,

The action of the rule requiring the reading of the journal was suspended.

Mr. Tilden presented the petition of David A. Noble and sixty-three others, for the incorporation of a company to construct a plank road from the city of Monroe to Belleville, in the county of Wayne; referred to the committee on banks and incorporations.

Mr. G. B. Turner, presented the petition of John Woolman, and sixty others, of Cass and Berrien counties, for an alteration in the line of a state road leading from St. Joseph to La Grange; referred to the committee on roads and bridges.

Mr. Hammond presented the petition of B. F. Bush and seventy-five others, for the vacation of the present county site of Shiawassee county; referred to the committee on the organization of townships and counties.

Mr. Parkhurst presented the petition of James A. Weeks and thirty-three others, for the passage of a law prohibiting the sale of intoxicating liquors; referred to the committee on state affairs.

Mr. Pennoyer presented the petition of John Pintler and thirty others, of the counties of Newago and Kent, for the appropriation of certain highway taxes on a certain road; referred to the committee on roads and bridges.

Mr. Pennoyer also presented the petition of citizens of Ottawa,

county, for the organisation of a new township in said county; referred to the committee on the organisation of townships and counties.

Mr. Chittenden presented the remonstrance of Louis M. Moran and others, against the attaching of sections three and ten in the township of Hamtramck to the township of Grosse Point; laid on the table.

Mr. Smith presented the petition of Henry Hall and others, for the incorporation of a company to construct a plank road from the village of Grand Rapids, by the way of Plainfield and Otisco, to the village of Lyons; referred to the committee on banks and incorporations.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz :

A bill to amend chapter thirty-eight of the revised statutes of 1846;

A bill to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes; and

A joint resolution in relation to the transportation of the United States mail through Canada.

Mr. Parkhurst, from the same committee, reported as correctly engrossed,

A bill to provide for the improvement of the Grand river state road;

A bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846;

A bill to amend the revised statutes of 1846, relative to university lands; and

A bill to amend section thirteen of chapter sixty-six of the revised statutes.

Mr. Deming, from the committee on roads and bridges, reported a bill to establish a state road in the county of Ottawa; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, reported



a bill to authorize the Auditor General to purchase a bell for the capitol, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. O'Malley, from the committee on the state library, to whom was referred the Senate bill to provide for the support of the system of international exchanges, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. G. B. Turner, from the committee on claims, to whom was referred the Senate joint resolution relative to the claim of John Almy, reported the same back without amendment, and reported adverse to its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Kilborn, from the committee on public lands, to whom were recommitted the Senate joint resolutions relative to the selections of public lands, reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subject, and the joint resolutions were referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, to whom was re-committed the bill to amend section four of chapter eighty-eight of the revised statutes of 1846, reported the same back amended in accordance with the instructions of the House, which report was accepted, and the committee discharged from the further consideration of the subject, and the bill was ordered to be engrossed and read the third time.

Mr. Andrews, from the committee on state affairs, to whom was referred the Senate joint resolution of thanks to M. Vattermare, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Andrews, from the same committee, to whom was referred the

bill for the relief of Indians, reported the same back without amendment, and asked to be discharged from its further consideration, which report was accepted and the committee discharged, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the Senate bill amending an act relative to plank roads, approved March 13, 1848, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, reported a bill to incorporate the Monroe and Belleville plank road company, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following communications were announced:

EXECUTIVE OFFICE, }  
Lansing, February 28, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to authorize the assessors of the city of Monroe to levy a certain tax; also

An act to authorize Almeron Newman, Peter M. Kind, Asa C. Davis and William D. Disbro, to build a dam across Grand river in the county of Ionia.

EPAPHRO. RANSOM.

AUDITOR GENERAL'S OFFICE, }  
Lansing, March 1, 1849. }

HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

SIR:—I have the honor to acknowledge the receipt of a resolution passed yesterday by the House of Representatives in the words following:

*Resolved*, That the Auditor General be and he is hereby required to furnish to this House, without any unnecessary delay, a succinct statement of the public debt of this state, exhibiting the times, commencing with the shortest and ending with the longest, when the

principal is to be paid, and the purpose for which said debt was created."

In reply to said resolution, I would respectfully refer to table II, accompanying the last annual report from this office, as giving all the information called for in the above resolution, so far as this office can furnish it. The only material alteration since the date of said report consists in the payment by the Southern railroad company, of the instalment of twenty-five thousand dollars and interest due December 23, 1848, which was paid in six thousand dollars full paid five million bonds, and fifty thousand dollars part paid ones, at the rate prescribed by law, and the balance in internal improvement warrants; but this payment does not change the amount of our state debt, as given in the annual report, because whilst it reduces certain items of our outstanding debt to the amount of the payment made by the company, it at the same time lessens our outstanding available resources to the like amount.

Some internal improvement warrant bonds set down in the above table of December 1, 1848, as *issuable*, have been issued since that time, amounting to thirty-two thousand three hundred and fifty dollars; but this also only requires so much to be deducted from the amount there set down as *issuable*; and added to the amount actually issued; not affecting one way or another the amount of our state debt, or the time of its maturing.

Yours, most respectfully,

JOHN J. ADAM,

*Auditor General.*

The following message was received from the Senate:

SENATE CHAMBER, }  
*Lansing, March 1, 1849.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit to you the following entitled bill, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz :

A bill to authorize the supervisors of the county of Kent to construct a free bridge across Grand river, at or near the mouth of Flat river, in the township of Lowell.

I am further instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz :

A bill requiring the commissioner of the state land office to make an annual report to the regents of the university of Michigan;

A bill to amend the charter of the city of Detroit; and

A bill relative to certain taxes in the township of Norton, in the county of Ottawa.

I am further instructed to respectfully inform you that the Senate have non-concurred in the amendment of the House to the joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville—have appointed Messrs. Dort, Robinson and Walbridge a committee of conference on the part of the Senate, on the disagreement between the two Houses on said joint resolution, which is herewith transmitted, and to respectfully request the appointment of a like committee on the part of the House.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The following entitled bills were ordered to be enrolled, viz :

A bill requiring the commissioner of the state land office to make an annual report to the regents of the university of Michigan;

A bill to amend the charter of the city of Detroit, and

A bill relative to certain taxes in the township of Norton, in the county of Ottawa.

The Senate bill to authorize the supervisors of the county of Kent to construct a free bridge across Grand river, at or near the mouth of Flat river, in the township of Lowell, was read twice and referred to the committee on roads and bridges.

On motion of Mr. Stevens,

A committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on the joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville, and

The Speaker appointed Messrs. Stevens, O'Malley and Deming, as such committee.

Mr. O. C. Comstock, pursuant to previous notice, asked and obtained leave to introduce a bill to enlarge the powers and increase the number of officers in school districts, in certain cases, which was read twice, and referred to the committee on education.

On motion of Mr. Holmes,

The bill to amend an act entitled an act to incorporate the Flint and Saginaw navigation company, was taken from the table, and

The bill was ordered to be read the third time.

On motion of Mr. Burk,

The bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county, was taken from the table.

Mr. Coe moved that the bill be amended by striking out all after the word "maintain" in the second line of section one, and inserting the following, which motion was not agreed to, viz:

"As many bridges across the St. Joseph river, within the limits of said county, not exceeding five in number, as the public good may require, provided that said county shall not be compelled to raise or contribute more than six thousand dollars in any one year for the erection and support of said bridges.

"Sec. 2. If said board of supervisors shall unreasonably neglect or refuse to erect or maintain such bridges, they may be compelled to do so by mandamus."

"Sec. 3. This act shall take effect from and after its passage."

On motion of Mr. H. H. Comstock,

The sixth line of section one was amended by striking out the word "six" before "thousand," and inserting "three."

On motion of Mr. Hawley,

The following section was added to the bill:

"Sec. 2. This act shall take effect and be in force from and after it shall have been ascertained that a majority of the legal voters of said county of Berrien have given their assent thereto; and to ascertain the views of said voters, this act shall be read at the next annual township meetings by the township clerks of the several townships of said county; and the citizens of said towns shall vote *viva voce* upon the question, whether this act shall take effect, and the township clerks aforesaid shall make a return of the result of such voting to the county clerk of said county, who shall, together with the sheriff and county treasurer of said county, proceed to canvass said returns, and if they shall ascertain that a majority of the citizens of said county have voted for this act, then this act shall be in force and take effect from and after such canvassing."

On motion of Mr. G. B. Turner, the vote by which the word "six" was stricken out of the sixth line of section one and "three" inserted,

was reconsidered, and the question then being on said amendment, it was rejected.

The question then recurring on the motion made by Mr. Giddings, yesterday, to strike out all after the enacting clause of the bill, it was decided in the negative, by the following vote:

## YEAS.

Mr. Bowne,	Mr. Dayton,	Mr. Hawley,
Buck,	Flower,	Holmes,
Campbell,	Giddings,	Mulhollen,
Chamberlain,	A. Gillet,	St. Clair,
Coman,	Haight,	Stoddard,
O. C. Comstock,	Harger,	Waite,
Curtis,		

19

## NAYS.

Mr. Allen,	Mr. Deming,	Mr. O'Malley,
Andrews,	Earl,	Parkhurst,
Bacon,	Hammond,	Pennoyer,
Belding,	Hobart,	Smith,
Burk,	Ingersoll,	Stevens,
Cady,	Kilborn,	Tilden,
Chittenden,	Lockwood,	G. B. Turner,
Coe,	Lovell,	Tuttle,
H. H. Comstock,	Moffatt,	Wilkinson,
David,	Mosher,	Speaker,

30

The bill was then ordered to be engrossed and read the third time, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. Parkhurst,
Andrews,	Hammond,	Pennoyer,
Bacon,	Hobart,	Smith,
Belding,	Ingersoll,	Stevens,
Burk,	Kilborn,	Tilden,
Cady,	Lockwood,	G. B. Turner,
Chittenden,	Lovell,	Tuttle,
Coe,	Matthews,	Wilkinson,
H. H. Comstock,	Mosher,	Speaker,
David,	O'Malley,	

29

## NAYS.

Mr. Buck,	Mr. Dayton,	Mr. Hawley,
Campbell,	Flower,	Holmes,
Chamberlain,	Giddings,	Mulhollen,
Coman,	A. Gillet,	St. Clair,
O. C. Comstock,	Haight,	Stoddard,
Curtis,	Harger,	Turrill,

18

Mr. Hammond gave notice that on some future day he would ask leave to introduce a bill to amend an act entitled an act for the im-

provement of the Bellevue and Waterloo state road, in the county of Eaton.

On motion of Mr. H. H. Comstock,

The committee of the whole were discharged from the further consideration of the joint resolutions relative to the selection of public lands.

Mr. H. H. Comstock moved that the joint resolutions be amended by adding thereto the following:

*Resolved further*, That any and all warrants which may be drawn under, and by virtue of any act hereafter passed, or which shall be hereafter passed or approved, to authorize the improvement of the Kalamazoo river, shall be drawn against and receivable only for the seven thousand four hundred and ninety-five and fifty-nine hundredths acres of land in the first above resolution mentioned, or such other lands as may be hereafter selected in lieu thereof.

*Resolved further*, That when said lands are selected and located pursuant to the foregoing resolutions, the Auditor General is hereby directed to draw his warrant for the same under the act for the improvement of the Kalamazoo river, when called for by the commissioners in said act named, provided said commissioners shall certify under oath, that for every three hundred acres of land so called for they have in their hands at least two hundred dollars in money, received from voluntary donations as provided in said act.

On motion of Mr. Turrill,

The joint resolution was laid on the table.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Detroit fire and marine insurance company, and

A bill to incorporate the North American health insurance company;

Which were severally read twice and referred to the committee on banks and incorporations.

On motion of Mr. Mosher,

The House adjourned.

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AFTERNOON SESSION.

*Half past two o'clock.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The bill to amend the revised statutes of 1846, relative to university lands, was read the third time and passed.

The bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, was read the third time, when

Mr. G. B. Turner, by unanimous consent, moved to amend the same by adding thereto the following section :

"Sec. 2. Any person making complaint to the supervisor of any township or to the corporate authorities of any city or village, as prescribed by section thirty of chapter forty-one, shall, before the commencement of any suit, file with the justice or court before whom the same may be commenced, good and sufficient security in writing, conditioned that said suit shall be prosecuted to final judgment, and that he will pay all costs of suit, in case judgment be not rendered against the defendant,"

Pending which,

On motion of Mr. H. H. Comstock,

The bill was laid on the table.

The bill to amend section thirteen of chapter sixty-six of the revised statutes, and

The bill to provide for the improvement of the Grand river state road,

Were severally read the third time and passed.

The bill to amend an act entitled an act to incorporate the Flint and Saginaw navigation company, was read the third time and passed by a two-thirds vote, as follows:

#### YEAS.

Mr. Allen,	Mr. Fox,	Mr. Morton,
Bowne,	A. Gillet,	Mulhollen,
Buck,	Haight,	O'Malley,
Cady,	Hammond,	Parkhurst,
Campbell,	Hawley,	Pennoyer,
Chittenden,	Hobart,	Smith,
Coe,	Holmes,	St. Clair,
Coman,	Kilborn,	Stevens,
H. H. Comstock,	Lockwood,	Stoddard,
O. C. Comstock,	Matthews,	Turrill,
Curtis,	McNair,	Tuttle,
Dayton,	McNeil,	Waite,
Flower,	Moffatt,	Speaker,

39

#### NAYS.

0

The House having arrived at the order of unfinished business, took up the joint resolution relative to a donation of lands by the gen-



eral government for the erection of state asylums for the insane, blind, deaf and dumb, and the first amendment reported thereto by the committee of the whole was concurred in, and the second amendment was non-concurred in.

On motion of Mr. Buck,

The word "twenty" was stricken out of the third line of the joint resolution, and "thirty" inserted.

The joint resolution was then ordered to be engrossed and read the third time.

Mr. H. H. Comstock moved that the action of the thirty-ninth rule be suspended, which motion was lost.

The House then resolved itself into committee of the whole on the general order, Mr. J. W. Turner in the chair.

And after spending some time thereon, the committee rose, and by their chairman, reported back to the House without amendment,

A bill to incorporate the trustees of Elmwood cemetery;

A bill to incorporate the Northville hydraulic company;

A bill to define and amend the eighth subdivision of section twenty-seven of chapter one hundred and ninety-six of the revised statutes of 1846;

A bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals;

A bill to authorize Abram Smith and John W. Russell to erect a dam across Grand river, in the county of Eaton; and

A joint resolution relative to moneys advanced by the state of Michigan in behalf of the United States, and for other purposes;

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to amend chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases;

A bill to provide for laying out and establishing a certain state road in the counties of Oakland and Gagesec; and

A bill to incorporate the Detroit savings fund institute.

The bill to incorporate the trustees of Elmwood cemetery;

The bill to incorporate the Northville hydraulic company;

The bill authorizing Abram Smith and John W. Russell to erect a dam across Grand river, in the county of Eaton; and

The joint resolutions relative to moneys advanced by the state of Michigan in behalf of the United States, and for other purposes,

Were severally ordered to be read the third time.

The bill to define and amend the eighth subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846, and

The bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals,

Were severally ordered to be engrossed and read the third time.

Mr. Lockwood moved an adjournment, but the House refused to adjourn.

The amendments reported by the committee of the whole to the bill to amend chapter one hundred and twenty-three of the revised statutes of 1846,

To the bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases, and

To the bill to provide for laying out and establishing a certain state road in the counties of Oakland and Genesee,

Were severally concurred in, and the bills were severally ordered to be engrossed and read the third time.

The bill to incorporate the Detroit savings fund institute, was,

On motion of Mr. J. W. Turner,

Recommitted to the committee on banks and incorporations.

On motion of Mr. H. H. Comstock,

The House adjourned.

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*Friday, March 2, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Davis, Ferguson, M. S. Gillett, Hartsuff, Salyer and Wright were absent on leave, and Messrs. Chittenden, David, Earl, Hatch, Ingersoll and Tilden were absent without leave.

Mr. Hawley asked and obtained leave of absence for Mr. Chittenden until Wednesday next, and for Mr. David, for three days.

Mr. O'Malley for Mr. Ingersoll, until Wednesday next.

Mr. Mulhollen for Mr. Tilden, for an indefinite period.

Mr. Giddings for Mr. Earl, for one week.

On motion of Mr. Stevens,

The action of the rule requiring the reading of the journal was suspended.

Mr. Waite presented the petition of Samnel W. Dexter and others, for an amendment of the charter of the Dexter and Michigan plank road company; referred to the committee on banks and incorporations.

Mr. Bowne presented the petition of E. N. Peck and others, relative to a certain road; referred to the committee on roads and bridges.

Mr. Morton presented the petition of Joseph Loranger, Jr., of Monroe, for the passage of a law authorizing the conveyance of certain real estate belonging to his minor children; referred to the committee on the judiciary.

Mr. Chamberlain presented the memorial of James Aldrich and Mary Gephart, of Berrien county, for the passage of an act authorizing them to purchase certain university lands in the county of Berrien; referred to the committee on public lands.

Mr. Moffatt presented the petition of Abner E. Campbell and one hundred other citizens of the counties of Calhoun and Branch, for the incorporation of a company to construct a plank road from Battle Creek to some point on the St. Joseph river by the way of Dry Prairie; referred to the committee on banks and incorporations.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the bill to incorporate the Detroit fire and marine insurance company, reported the same back without amendment, and asked to be discharged from its further consideration;

Which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom was re-committed the bill to incorporate the Detroit savings fund institute, reported the same back together with a substitute therefor, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Giddings moved that the bill and substitute be laid on the table, which motion was lost.

Mr. Chamberlain moved that the fifth section of the substitute be

amended by striking out all after the word "above," in the fifth line, which amendment was not agreed to.

The substitute was then adopted, and the bill ordered to be read the third time.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bill and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to amend the charter of the city of Detroit; and

A joint resolution relative to publishing the report of the superintendent of public instruction.

Mr. Parkhurst, from the same committee, reported that the following entitled bills and joint resolution were correctly engrossed, viz:

A bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county;

A bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals;

A bill to amend chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to amend section four of chapter eighty-eight of the revised statutes of 1846;

A bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases;

A bill to provide for laying out and establishing a certain state road in the counties of Oakland and Genesee;

A bill to amend and define the eighth sub-division of section twenty-seven of chapter one hundred and six of the revised statutes of 1846; and

A joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb.

Mr. Deming, from the committee on roads and bridges, reported a bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of Lagrange, in the county of Cass, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Deming, from the same committee, to whom was referred the petition of Joshua Price and thirty-seven others, for the appointment of three commissioners to lay out a road from the Wayne county line, to Utica, in Macomb county, reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Deming, from the same committee, to whom was referred the petition of D. C. Smith and others, of Lenawee and Hillsdale counties, for an alteration of the revised statutes in relation to highway districts on town lines, reported the same back without action, and asked to be discharged from its further consideration, which report was accepted, and the committee discharged.

Mr. Coe, from the committee on the judiciary, to whom was referred the Senate bill to authorize the minor heirs of William Mochmoer, to convey certain real estate, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE,  
Lansing, March 1, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for obtaining returns from the prosecuting attorneys of the several counties in the state of Michigan, and for other purposes;

An act to amend chapter thirty-eight of the revised statutes of 1846; also

A joint resolution in relation to the transportation of the United States mail through Canada

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 2, 1849. }

*To the Speaker of the House of Representatives:*

Sir:—I am instructed to transmit to you, the following entitled bills and joint resolution, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz :

A bill to incorporate the trustees of Mountain Home cemetery;

A bill to incorporate the Saginaw bay gypsum company; and

Joint resolution in relation to a settlement with the Palmyra and Jacksonburg railroad company.

I am further instructed to return herewith the following entitled bills, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz :

A bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg, and

A bill to attach certain portions of the township of Hamtramck, in the county of Wayne, to the township of Grosse Point, in said county.

Also the following entitled bills, together with substitutes therefor, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz :

A bill to incorporate the North-West mining company of Michigan, and

A bill to incorporate the Minesota mining company.

Also that the Senate have concurred with an amendment, in which the concurrence of the House is respectfully asked, in the first amendment of the House to a bill to incorporate the Ohio Trap Rock mining company; have concurred in the second amendment, and non-concurred in the third amendment to the same;

Which bills are herewith transmitted.

I am further instructed to respectfully inform you that the Senate have concurred in the amendment of the House to a bill to authorize the erection of a dam across Flat river, and have ordered the bill as amended to be enrolled.

Respectfully, &c.

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to incorporate the Saginaw Bay gypsum company, and

The Senate bill to incorporate the trustees of the Mountain Home cemetery,

Were severally read twice and referred to the committee on banks and incorporations.

The Senate joint resolution in relation to a settlement with the Palmyra and Jacksonburg railroad company,

Was read twice and referred to the committee on ways and means.

The bill to incorporate the Minesota mining company, and

The bill to incorporate the North-West mining company of Michigan, together with the Senate substitutes therefor, were

On motion of Mr. Coe,

Referred to the committee of the whole and placed on the general order.

The Senate amendment to the bill to attach certain portions of the township of Hamtramck, in the county of Wayne, to the township of Grosse Point, in said county, was concurred in, and the bill as amended was ordered to be enrolled.

The bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg, together with the Senate amendments thereto, was,

On motion of Mr. Coe,

Laid on the table.

The Senate amendment to the first amendment of the House to the bill to incorporate the Ohio Trap Rock mining company, was concurred in, and the question being on receding from the third amendment made by the House to the bill, it was decided in the negative.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 2, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the report, (being a substitute for the original joint resolution,) of the committee of conference on the part of the Senate on the disagreement between the two Houses on

Joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville, have adopted the substitute for the same, which joint resolution and substitute are herewith transmitted.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

And the substitute for the joint resolution relative to furnishing certain laws and documents to the military store-keeper of the Detroit United States arsenal at Dearbornville, reported by the committee of conference, was concurred in by the House.

On motion of Mr. G. B. Turner,

The bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, was taken from the table.

Mr. Morton moved that it be recommitted to the committee on the judiciary with instructions to so amend the same, that it will not conflict or interfere with existing laws, in the amount of license money chargeable by the bill, which motion was lost.

The question then recurring on the motion yesterday made by Mr. G. B. Turner, to amend the bill by adding thereto the following section:

"Sec. 2. Any person making complaint to the supervisor of any township, or to the corporate authorities of any city or village, as prescribed by section thirty chapter of forty-one, shall, before the commencement of any suit, file with the justice or court before whom the same may be commenced, good and sufficient security in writing conditioned that said suit shall be prosecuted to final judgment, and that he will pay all costs of suit in case judgment be not rendered against the defendant."

Which section was adopted by the House.

On motion of Mr. G. B. Turner,

The bill was recommitted to the committee on the judiciary.

Mr. H. H. Comstock gave notice that on some future day he would ask leave to introduce a bill to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego.

On motion of Mr. H. H. Comstock,

The vote agreeing to the title of the bill to provide for the improvement of the Grand river state road, passed yesterday, was reconsidered, and

The question being on the title, the same was amended,

On motion of Mr. Lovell,

By substituting therefor the following: "a bill for the improvement of the state road leading from the village of Portland, in Ionia county, to the Grand river road in the county of Clinton;" and the title as amended was agreed to.



On motion of Mr. H. H. Comstock,

The joint resolutions relative to the selection of public lands were taken from the table.

Mr. Pennoyer moved that all after the resolving clause of the joint resolution, be stricken out,

Pending which,

Mr. J. W. Turner moved to add the following proviso to the first resolution, which motion was lost, viz: "*Provided*, That in case no dry land can be found, the lakes shall be drained in accordance with the provisions of the act of 1846, entitled an act to provide for the draining of swamps, marshes, and other low lands.

On motion of Mr. Chamberlain,

The House adjourned.

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AFTERNOON SESSION.

*Two o'clock, P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker, and

Resumed the consideration of the joint resolutions relative to the selection of public lands.

On motion of Mr. G. B. Turner,

The joint resolutions were laid on the table.

On motion of Mr. G. B. Turner,

*Resolved*, That the committee on printing be required to ascertain and report to this House, with all convenient despatch, the reason, if any there be, why the manual ordered at an early day of the session has not been furnished.

Mr. Lovell, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand river at Saranac, in the township of Boston, and for other purposes, which was read twice and referred to the committee on roads and bridges.

Mr. Hammond, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848, which was read twice and referred to the committee on roads and bridges.

Mr. Coe gave notice that on some future day he would ask leave

to introduce a bill to authorize the Southern railroad company to repair or continue their road with heavy iron rail.

Mr. Smith gave notice that he would on some future day ask leave to introduce a bill making an appropriation of internal improvement lands for the improvement of Rouge river, in the county of Kent.

Mr. H. H. Comstock offered the following resolution:

*Resolved*, That Jonathan Lamb be and he is hereby directed to bring back to this House, with all possible despatch, Johnson Niles, Speaker of the third House, and special officer sent after the Hon. Mr. Hatch, that he may give a satisfactory excuse for his unexpected delay, or stand condemned.

On motion of Mr. Cady,

The resolution was laid on the table.

Mr. H. H. Comstock moved that the joint resolution relative to the selection of public lands be taken from the table, which motion was lost.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the Auditor General to procure certain maps, which was read twice and referred to the committee on ways and means.

On motion of Mr. Coe,

The committee of the whole were discharged, from the further consideration of the bill to incorporate the North-West mining company of Michigan, and the question being on concurring in the Senate substitute therefor,

Mr. Coe moved that the same be amended by striking out the proviso of the seventh section, and inserting the following:

"And any person may enforce said lien by filing with any court having jurisdiction thereof, an affidavit showing to the satisfaction of said court that he has a claim under the provisions of this section, and such court may thereupon issue an attachment against the property of such company, and the same proceedings may be thereupon had as in other cases;"

Which motion was agreed to.

On motion of Mr. Coe,

The second line of section seven was amended by inserting the words "for all claims and demands against said company," after "com-

pany;" and the second line of section nine was amended by inserting the words, "one of which shall be in this state," after "offices."

The substitute, as amended, was then concurred in by a two-thirds vote.

On motion of Mr. Coe,

The committee of the whole were discharged from the further consideration of the bill to incorporate the Minesota mining company, and the question being on concurring in the Senate substitute therefor,

Mr. Coe moved that section six thereof be amended by adding to it the following words: "And any person may enforce the said lien by filing with any court having jurisdiction thereof, an affidavit showing to the satisfaction of such court that he has a claim under the provisions of this section, and such court may thereupon issue an attachment against the property of such company, and the same proceedings may be thereupon had as in other cases;" which motion prevailed.

The substitute, as amended, was then concurred in by a two-thirds vote.

Mr. Kilborn moved that the committee of the whole be discharged from the further consideration of the bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham; which motion did not prevail.

The following entitled bills and joint resolutions were severally read the third time and passed, viz:

A bill to authorize John W. Russell to erect a dam across Grand river, in the county of Eaton;

A bill to define and amend the eighth subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846;

A bill to amend chapter one-hundred and twenty-three of the revised statutes of 1846;

A bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals;

A bill to amend section four of chapter eighty-eight, of the revised statutes of 1846;

A bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases, approved March 25, 1848;

A joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb; and

Joint resolutions relative to moneys advanced by the state of Michigan in behalf of the United States and for other purposes.

The bill to provide for the laying out and establishing a certain state road in the counties of Oakland and Genesee, was read the third time, when

Mr. Giddings, by unanimous consent, moved to amend the second section thereof by striking out the words "upon lands or parcels of lands lying wholly within the distance of," and inserting "upon any legal lands, subdivisions of lands, an equal or the greater part of which shall be within the two lines running parallel with said road," which motion prevailed, and

The bill was then passed.

The bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county, was read the third time and passed, by the following vote:

#### YEAS.

Mr. Allen,	Mr. Flower,	Mr. Morton,
Andrews,	Fox,	Mosher,
Bacon,	Hammond,	Parkhurst,
Belding,	Hobart,	Smith,
Burk,	Kilborn,	St. Clair,
Coe,	Lockwood,	G. B. Turner,
Coman,	Lovell,	J. W. Turner,
H. H. Comstock,	Moffatt,	Wilkinson,
O. C. Comstock,	Moran,	Speaker,
Deming,		

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#### NAYS.

Mr. Bowne,	Mr. Giddings,	Mr. Pennoyer,
Buck,	Haight,	Stevens,
Campbell,	Harger,	Stoddard,
Chamberlain,	Holmes,	Turrill,
Curtis,	Matthews,	Tuttle,
Dayton,	Mulhollen,	Waite,

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The bill to incorporate the trustees of Elmwood cemetery, and

The bill to incorporate the Northville hydraulic company,

Were severally read the third time and each passed by a two-thirds vote.

The bill to incorporate the Detroit savings fund institute was read the third time and passed, by a two-thirds vote, as follows:

YEAS.

Mr. Allen,	Mr. Flower,	Mr. Moran,
Andrews,	Giddings,	Morton,
Bacon,	Haight,	Mulhollen,
Belding,	Hammond,	Parkhurst,
Buck,	Harger,	Smith,
Burk,	Hawley,	St. Clair,
Cady,	Hobart,	Stevens,
Campbell,	Kilborn,	Stoddard,
Coe,	Lockwood,	J. W. Turner,
Coman,	Lovell,	Turrill,
H. H. Comstock,	Matthews,	Tuttle,
O. C. Comstock,	McNeil,	Waite,
Curtis,	Moffatt,	Speaker,
Dayton,		40

NAYS.

Mr. Bowne,	Mr. McNair,	Mr. G. B. Turner,
Chamberlain,	Mosher,	Wilkinson,
Fox,	Pennoyer,	8

On motion of Mr. Bowne,

The House adjourned.

*Saturday, March 3, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Chittenden, David, Davis, Earl, Ferguson, M. S. Gillett, Hartsuff, Ingersoll, Salyer, Tilden and Wright were absent on leave, and Messrs. A. Gillet, Hatch and Mosher were absent without leave.

Mr. Deming asked and obtained leave of absence for Mr. Mosher for an indefinite period.

On motion of Mr. Coe,

The action of the rule requiring the reading of the journal was suspended.

Mr. Morton presented the petition of A. and E. S. Higgins, of New York, asking that certain warrants may be re-issued; referred to the committee on claims.

Mr. Lovell presented the remonstrance of Simon Heath and twelve others, against attaching a part of the township of Keene to the town-

ship of Boston, in Ionia county; referred to the committee on the organization of townships and counties.

Mr. McNeil presented the remonstrance of three hundred and ten citizens of Shiawassee county, and of the county officers of Shiawassee, against the vacation or removal of the county site of said county; referred to the committee on the organization of townships and counties.

Mr. McNeil also presented the remonstrance of the special commissioner appointed under appropriation act number ninety-five of 1848, in relation to the appropriation therein named; and

The remonstrance of the contractor under the same appropriation act, against a division of the appropriation therein made; which remonstrances were referred to the committee on public lands.

Mr. McNeil also presented the remonstrance of two hundred and forty-two citizens of Shiawassee county, in relation to a certain road; referred to the committee on roads and bridges.

Mr. J. W. Turner presented the petition of R. Kibbee and others, for a charter for a company to construct a certain plank road in Lenawee county; and

The petition of Davis Smith and others, for a charter for a company to construct a plank road from Medina to Morenci, on a route therein described; which petitions were referred to the committee on banks and incorporations.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill relative to certain taxes in the township of Norton, in the county of Ottawa;

A bill to attach certain portions of the township of Hamtramck, in the county of Wayne, to the township of Grosse Point, in said county, and

A bill requiring the commissioner of the state land office to make an annual report to the regents of the University of Michigan.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the bill to incorporate the North American health insurance company, reported the same back without amendment, and asked to be discharged from its further consideration,

Which report was accepted, and the committee discharged, and the

bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, to whom was referred the Senate bill to authorize the supervisors of the county of Kent to construct a free bridge across Grand river, at or near the mouth of Flat river, in the township of Lowell, reported the same back without amendment, and asked to be discharged from its further consideration;

Which report was accepted, the committee discharged from its further consideration and the bill referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom was referred the bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand river, at Saranac, in the township of Boston, and for other purposes, and

The bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road in the county of Eaton, approved March 27, 1848,

Reported the same back without amendment, and asked to be discharged from their further consideration;

Which report was accepted and the committee discharged, and the bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom was referred the petition of E. N. Peck, and others, relative to a certain road, reported the same back without action, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the bill to authorize the Auditor General to procure certain maps, reported the same back without amendment, and reported adverse to the passage of the bill, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, to whom was referred the bill to legalize the plats of the villages of Orion and New

Canandaigua City, in the township of Orion, in the county of Oakland, and

The bill authorizing the holding of the courts in the county of Ingham, alternately at Mason and Lansing,

Reported the same back without amendment and recommended their passage, which report was accepted and the committee discharged from the further consideration of the subjects, and

The bills were ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Coe, from the same committee, reported a bill to vacate the village plat of the village of Bloomingrove, in the county of Berrien, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Coe, from the same committee, to whom was recommitted the bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, reported the same back without amendment, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be engrossed and read the third time.

Mr. O. C. Comstock, from the committee on education, to whom was referred the bill to enlarge the powers and increase the number of officers in school districts in certain cases, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Campbell, from the committee on internal improvement, to whom was referred the petition of Loren L. Treat and forty-one others, of Oakland county, for an appropriation of internal improvement lands to improve the Pontiac and Lapeer road, reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 2, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,



An act to amend the charter of the city of Detroit; also

A joint resolution relative to publishing the reports of the superintendent of public instruction.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 3, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county.

A bill to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in Barry county;

Also the following entitled bill which the Senate have passed with an amendment, in which the concurrence of the House is asked, viz:

A bill to amend chapter twenty-four of the revised statutes of 1846;

I am further instructed to return a bill to incorporate the Siskoweit mining company, and to inform you that the Senate have non-concurred in the first, second and fifth House amendments thereto, and have concurred in the third, fourth, sixth and seventh amendments to said bill.

I am further instructed to transmit a bill to revive and continue in force an act entitled an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, under the name and style of the Detroit fire and marine insurance company, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county, and

The bill to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in Barry county,

Were ordered to be enrolled.

The Senate bill to revive and continue in force an act entitled an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, under the name and style of the Detroit fire and marine insurance company, was read twice and referred to the committee on banks and incorporations.

The Senate amendment to the bill to amend chapter twenty-four of the revised statutes of 1846, was concurred in, and the bill as amended was ordered to be enrolled.

The bill to incorporate the Siskoweit mining company of Michigan was taken up, when the House receded from their second amendment thereto, and refused to recede from their first and fifth amendments.

Mr. Kilborn gave notice that on some future day he would ask leave to introduce a bill to incorporate the Lansing and Grand Rapids steamboat navigation company, and

A bill authorizing any person of good moral character, and twenty-one years of age, who has been admitted to practice as an attorney, counsellor or solicitor, in the courts of record of any other of the United States, to practice law in any such court within this state.

Mr. St. Clair gave notice that he would on some future day ask leave to introduce a joint resolution in relation to a reciprocity in trade between the United States and Canada.

Mr. H. H. Comstock moved a reconsideration of the vote by which was passed the bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases, approved March 25, 1848;

Pending which,

On motion of Mr. Hawley,

The House adjourned.

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AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The question being on the motion to reconsider the vote by which

was passed the bill to amend an act entitled an act to exempt a homestead from forced sale in certain cases, approved March 25, 1848, when

Mr. Buck moved that the motion be laid on the table, which was decided in the negative, by the following vote :

YEAS.

Mr. Belding,  
Buck,  
Campbell,  
Coe,  
Fox,  
Harger,

Mr. Matthews,  
Moffatt,  
Parkhurst,  
Pennoyer,  
Stevens,

Mr. Turrill,  
J. W. Turner,  
Waite,  
Wilkinson,  
Speaker,

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NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Burk,  
Cady,  
Chamberlain,  
Coman,  
O. C. Comstock,  
Curtis,

Mr. Dayton,  
Deming,  
Flower,  
Giddings,  
Haight,  
Hawley,  
Lockwood,  
Lovell,  
McNair,

Mr. McNeil,  
Moran,  
Morton,  
Mulhollen,  
Smith,  
St. Clair,  
Stoddard,  
G. B. Turner,  
Tuttle,

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The question then recurring on the motion to reconsider, it was decided in the negative, by the following vote :

YEAS.

Mr. Allen,  
Andrews,  
Bowne,  
Cady,  
Chamberlain,  
Coman,  
O. C. Comstock,

Mr. Curtis,  
Flower,  
Giddings,  
Hawley,  
Lockwood,  
Lovell,  
McNair,

Mr. Moran,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
G. B. Turner,  
Tuttle,

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NAYS.

Mr. Bacon,  
Belding,  
Buck,  
Campbell,  
Coe,  
H. H. Comstock,  
Dayton,  
Deming,

Mr. Fox,  
Haight,  
Harger,  
Hobart,  
Holmes,  
Kilborn,  
Matthews,  
McNeil,

Mr. Moffatt,  
Mulhollen,  
Parkhurst,  
J. W. Turner,  
Turrill,  
Waite,  
Wilkinson,  
Speaker,

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On motion of Mr. Chamberlain,

The House adjourned.

*Monday, March 5, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Chittenden, David, Davis, Earl, Ferguson, M. S. Gillett, Hartsuff, Ingersoll, Mosher, Salyer and Tilden were absent on leave, and Messrs. Allen, A. Gillet, Hammond and Hatch were absent without leave.

Mr. Fox asked and obtained leave of absence for Mr. Hatch for one week.

Mr. Waite for Mr. A. Gillet, for two days.

Mr. Moffatt for Mr. Hammond, for one day.

On motion of Mr. G. B. Turner,

The action of the rule requiring the reading of the journal was suspended.

Mr. Moffatt presented the petition of Joseph Chedsey and ninety-nine others, asking that the law abolishing capital punishment may remain on the statute book as a monument of humane and enlightened legislation; referred to the committee on the judiciary.

Mr. Wright presented the petition of James P. Wheeler and thirty-six others, for the appropriation of certain non-resident taxes on the Pontiac and Grand river-state road; referred to the committee on roads and bridges.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, was correctly engrossed.

Mr. G. B. Turner, from the committee on claims, reported a joint resolution authorizing the Auditor General to draw certain warrants, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Morton, from the committee on printing, who were instructed to make inquiry relative to the time when the legislative manual would be printed, reported that the same was expected to be finished very soon, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Giddings, from the committee on state affairs, made the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz:

The committee on state affairs, to whom was referred a bill to provide for the removal of the state land office to the seat of government, and certain instructions in relation thereto, have instructed me to report that, in their opinion, the interests of the people of the state will be best subserved by the passage of a law which shall provide for the abolition of the office of commissioner of the land office and the recorder of the land office, and for the performance of the duties of such commissioner by the Auditor General; and which shall also provide for the payment of principal and interest, due or to become due on account of sales of university and school lands, to the treasurers of the several counties in which such lands are situated. And they recommend that the whole subject be referred to the committee on the judiciary, with instructions to report to this House a bill providing for such change in the existing laws as will carry out the views and objects herein expressed, and ask to be discharged from the further consideration of the subject.

On motion of Mr. Giddings,

The whole subject was referred to the committee on the judiciary, with the instructions recommended in the foregoing report.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 3, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to attach certain portions of the township of Hamtramck in the county of Wayne, to the township of Grosse Point, in said county;

An act requiring the commissioner of the state land office to make an annual report to the regents of the university of Michigan.

Also an act relative to certain taxes in the township of Norton, in the county of Ottawa.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 5, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following bill, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to amend section thirteen of chapter sixty-six of the revised statutes.

I am further instructed to return herewith the Senate substitutes for the following entitled bills, and to respectfully inform you that the Senate have concurred in the amendments of the House thereto, viz:

A bill to incorporate the North-West mining company of Michigan; and

A bill to incorporate the Minesota mining company.

I am further instructed to respectfully inform you that the Senate have receded from the disagreement between the two Houses on the bill to incorporate the Ohio Trap Rock mining company, have concurred in the amendment of the House thereto, and have ordered the same as amended to be enrolled; also,

That the Senate have adopted the substitute of the House for a bill to incorporate the Detroit savings fund institute, and have ordered the same to be enrolled.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to amend section thirteen of chapter sixty-six of the revised statutes;

The bill to incorporate the North-West mining company of Michigan; and

The bill to incorporate the Minesota mining company,  
Were ordered to be enrolled.

Mr. Parkhurst offered the following resolution :

*Resolved*, That two thousand additional extra copies of the report of the select committee on the subject of the revision of the constitution of the state, be ordered printed for the use of the members of the House.

On motion of Mr. Stevens,

The resolution was laid on the table.

On motion of Mr. Buck,

The following entitled bills were made the special order for to-morrow, viz :

A bill to amend and consolidate the act to incorporate the stock-

holders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto; and

A bill to incorporate the president, directors and company of the Peninsular bank.

On motion of Mr. J. W. Turner,

The bill to define the jurisdiction of the county courts, and for other purposes, was made the special order for Wednesday next.

On motion of Mr. Coe,

The bill authorizing proceedings against garnishees, and for other purposes, was made the special order for to-day.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the county treasurer of the county of Oakland to receive moneys for school and university lands; which was read twice and referred to the committee on the judiciary.

Mr. Morton offered the following resolution:

*Resolved*, That it is important to the people to understand the principles which will govern the incoming administration of our national government, and this being the day for the inauguration of president Taylor, that the present acting chairman of the committee on the judiciary be invited to read to the House the platform adopted by the whig party at the Philadelphia convention.

Mr. G. B. Turner moved that the resolution be laid on the table, which motion was lost.

Mr. Parkhurst moved that its further consideration be indefinitely postponed, which motion did not prevail, and

The resolution was adopted.

On motion of Mr. Stevens,

*Resolved*, That hereafter this House will hold two sessions a day, commencing at nine o'clock A. M., and two o'clock P. M., until otherwise ordered.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce a bill to authorize Lozina Wilton, of the township of Springfield, county of Oakland, to sell certain real estate.

On motion of Mr. Andrews,

*Resolved*, That the daily reading of the journal, by the Clerk of this House, be dispensed with, until otherwise ordered.

On motion of Mr. Buck,

The bill to incorporate the St. Joseph river navigation company,

was taken from the table, re-committed to the committee of the whole and placed on the general order.

Mr. H. H. Comstock offered the following resolution, which was not adopted, viz :

*Resolved*, That the Speaker of this House is hereby directed to withhold the per diem of the members of this House, who do not appear, or make it appear, and render a satisfactory excuse for their absence to this House.

Mr. Giddings moved that the acting chairman of the committee on the judiciary, proceed to read to this House the platform adopted by the whig party at the Philadelphia convention, which motion was lost.

The Speaker laid the following document before the House :

*Lansing, March 5, 1849.*

TO HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives.*

SIR :—Agreeably to a resolution passed by the House on the twenty-seventh of February, I proceeded to the residence of Hon. Barnabas C. Hatch, Representative from Jackson county, and finding him too unwell to leave his house, I procured the within certificate from his attending physician.

Respectfully, &c.,

JOHNSON NILES.

*To the Hon. Speaker of the House of Representatives:*

This certifies that I was called to visit, as a physician, the Hon. B. C. Hatch, and found him quite sick, on the 26th day of February, 1849, with a malarial rheumatism and congestion of the spine of the neck, and do believe him unable, and that it would be unsafe for him to go to Lansing in his present condition of health.

Yours, respectfully,

D. PECK, M. D.

*Jackson, February 28, 1849.*

On motion of Mr. Bowne,

The committee of the whole were discharged from the further consideration of the bill to organize certain townships, and for other purposes, and it was taken up for consideration.

On motion of Mr. St. Clair,

The eighth section of the bill was amended by adding thereto the



words "shall be held at the House of William Fenton, in said township."

On motion of Mr. Pennoyer,

The following section was added to the bill, to stand as section fifteen, viz :

"Sec. 15. That all that part of the county of Ottawa, known as towns five and six, and all that portion of town seven north of range fourteen west, be organized into a separate township, to be called and known by the name of Fenton, and the first township meeting shall be held at the house of Richard Roberts, in said township."

On motion of Mr. Coe,

The word "Lodi," was stricken out of the second line of section thirteen, and "Bowne" inserted.

The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill to legalize the plats of the villages of Orion and New Canandaigua City, in the township of Orion, in the county of Oakland, and

The bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with it was placed on the order of bills for a third reading.

The following entitled bills were severally read a third time and passed, viz:

A bill to organize certain townships, and for other purposes;

A bill to legalize the plats of the villages of Orion and New Canandaigua City, in the township of Orion, in the county of Oakland.

On motion of Mr. Coe,

The title to the last named bill was amended by striking out the word "legalize," and inserting "authorize" and by adding to the end thereof the words "to be recorded, and for other purposes."

The bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846, was read the third time, when

Mr. Mulhollen moved that its further consideration be indefinitely postponed, which motion was lost, and

The bill was passed.

The House having arrived at the special order, being the bill au-

thorizing proceedings against garnishees, and for other purposes, resolved itself into committee of the whole thereon, Mr. Giddings in the chair, and after spending some time in committee, they rose and by their chairman reported the bill back with an amendment in which the concurrence of the House was asked.

The amendment reported was concurred in, and the bill was ordered to be engrossed and read the third time.

On motion of Mr. Fox,

The rules were suspended to enable the bill to receive its third reading to-day, and the engrossment having been dispensed with,

The bill was read the third time and passed, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. Fox,	Mr. Mulhollen,
Andrews,	Flower,	O'Malley,
Bacon,	Giddings,	Parkhurst,
Belding,	Haight,	Pennoyer,
Bowne,	Harger,	Smith,
Buck,	Hawley,	St. Clair,
Burk,	Hobart,	Stevens,
Cady,	Holmes,	Stoddard,
Campbell,	Kilborn,	G. B. Turner,
Chamberlain,	Lovell,	J. W. Turner,
Coe,	Matthews,	Turrill,
Coman,	McNair,	Tuttle,
H. H. Comstock,	McNeil,	Wilkinson,
O. C. Comstock,	Moffatt,	Wright,
Curtis,	Moran,	Speaker,
Deming,		

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## NAYS.

Mr. Dayton,

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The House then resolved itself into a committee of the whole on the general order, Mr. O'Malley in the chair, and after a short time spent thereon, the committee rose and by their chairman reported back with an amendment in which the concurrence of the House was asked.

A bill to repeal an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence.

On motion of Mr. J. W. Turner,

The House adjourned.

## AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Peanoyer moved a call of the House, which was had, and it was found that Messrs. Andrews, Cady, Coman, H. H. Comstock, Curtis, Flower, Harger, Kilborn, McNair, O'Malley, J. W. Turner and Waite were absent without leave.

On motion of Mr. Hawley,

All further proceedings under the call were dispensed with.

The bill to repeal an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, was taken up, and the amendment reported thereto by the committee of the whole was concurred in, and the bill was ordered to be engrossed and read the third time.

The House then resolved itself into a committee of the whole on the general order, Mr. Deming in the chair, and after spending some time thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton;

A bill to repeal the sixteenth section of an act to amend the revised statutes of 1846, approved April 3, 1848;

A bill to amend the revised statutes in relation to the printing of the annual reports of the state officers, and

A bill to amend section thirty-four of chapter one hundred and thirty-four of the revised statutes of 1846;

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes;

A bill for the relief of the township of Waterloo, in the county of Jackson;

A bill relative to the costs of proceedings in criminal cases;

A bill for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer, in the county of Lapeer; and

A bill to authorize Jacob Barns, guardian of Cornelius Barns, to sell certain real estate.

The bill appropriating certain highway taxes for the improvement

of a certain road in the counties of Barry and Eaton, was ordered to be engrossed and read the third time.

The bill to repeal the sixteenth section of an act to amend the revised statutes of 1846; approved April 3, 1848, was taken up, when

Mr. Morton moved to amend the first section thereof, by adding thereto the words "excepting that portion of said section which relates to the city of Monroe," which amendment was rejected.

The bill was ordered to be engrossed and read the third time.

Mr. Chamberlain offered a protest against the action of the House, in passing the bill to require the board of supervisors of Berrien county to construct and maintain certain bridges in said county.

Mr. H. H. Comstock moved that the protest be laid on the table and leave granted to Mr. Chamberlain to withdraw the same from the files of the House,

Pending which,

On motion of Mr. O. C. Comstock,

The House adjourned.

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*Tuesday, March 6, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Chittenden, Davis, Earl, Ferguson, A. Gillet, M. S. Gillett, Hatch, Ingersoll, Mosher, Salyer and Tilden were absent on leave.

Mr. Waite presented the petition of Mr. Mead and one hundred and ninety-nine others, for the continuance of a state road leading from Okemos to Ingham, through to the village of Dexter; referred to the committee on roads and bridges.

Mr. Chamberlain presented the remonstrance of nine hundred and twenty-three voters of the county of Berrien, against the removal of the county seat of said county; and also

Resolutions of the board of supervisors of said county, relative to the same subject; which were laid on the table.

Mr. G. B. Turner presented the claim of Johnson Niles, for payment for time and expenses in going after Mr. Hatch, a member of this House; referred to the committee on claims.

Mr. Buck presented the petition of P. Brower and forty-five other citizens of St. Joseph county, and of William H. Cross and twenty-four others, for the passage of an act to incorporate the St. Joseph river navigation company; laid on the table.

Mr. Parkhurst presented the petition of James Danham and seven others, for the extension of the law of 1843, relative to university lands; referred to the committee on public lands.

Mr. Coe, from the committee on the judiciary, reported a bill to authorize Nancy Maria Sliker and others, minors, to convey certain real estate, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Coe, from the same committee, submitted the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on the judiciary, to whom was referred the petition of Joseph Loranger, Jr., asking for the passage of a law authorizing him to sell and convey certain real estate belonging to his children, and invest the same in other more productive real estate, or in some productive stocks, have had the same under consideration and have instructed me to report,

That existing laws provide a full and complete remedy for this case, and therefore report back the petition, with the recommendation that the prayer thereof be not granted, and ask to be discharged from the further consideration of the subject.

Mr. Coe, from the same committee, to whom was referred the bill to provide for the removal of the state land office to the seat of government, with certain instructions, reported the same back, together with a substitute therefor, which report was accepted and the committee discharged from the further consideration of the subject, and

On motion of Mr. Coe,

The bill was laid on the table, and the substitute was ordered to be printed.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolution were correctly enrolled and were this day presented to the Governor for his approval.

A bill to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in Barry county:

A bill to amend chapter four of the revised statutes of 1846:

A bill to amend section thirteen of chapter sixty-six of the revised statutes; and

A joint resolution requiring reports from certain special commissioners.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly engrossed, viz :

A bill appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton ;

A bill to repeal the sixteenth section of an act to amend the revised statutes of 1846, approved April 3, 1848 ; and

A bill to repeal an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. O'Malley, from the committee on the state library, to whom was referred the joint resolution relative to certain state property, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The joint resolution was ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the Senate joint resolution in relation to a settlement with Palmyra and Jacksonburg railroad company, reported the same back, and asked to be discharged from its further consideration, which report was accepted and the committee discharged, and

The joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Smith, from the committee on agriculture and manufactures, to whom was referred the Senate bill for the encouragement of agriculture, manufactures and the mechanic arts, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, to whom was referred the Senate bill to appropriate four hundred acres of internal improvement land to aid in constructing a bridge across the Thornapple river, in the township of Caledonia, in Kent county, reported the same back without amendment, and recommended that it be not passed, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 6, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bill and joint resolution, which the Senate have passed with amendments, in which the concurrence of the House, is respectfully asked, viz:

A bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals; and

Joint resolution relative to salt spring lands in the town of Saline.

I am further instructed to respectfully inform you that the Senate refuse to concur in the first and fifth amendments of the House to a bill to incorporate the Siskoweit mining company of Michigan; that Messrs. Isbell, Thomson and Griswold have been appointed committee of conference on the part of the Senate on the disagreement between the two Houses on said bill; and to request the appointment of a like committee on the part of the House.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate amendments to the bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals, were severally non-concurred in.

The Senate amendments to the joint resolution relative to salt spring lands in the town of Saline, were concurred in, and the joint resolution as amended was ordered to be enrolled.

On motion of Mr. H. H. Comstock,

A committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on the bill to incorporate the Siskowit mining company of Michigan, and

The Speaker appointed Messrs. H. H. Comstock, O'Malley and Coe, as such committee.

Mr. David offered the following resolution:

*Resolved*, That the committee on engrossment and enrollment be and they are hereby authorized to employ a suitable person as an assistant Enrolling and Engrossing Clerk, at any time when they may deem it necessary.

Mr. Kilborn offered the following as a substitute for the resolution, which was concurred in, viz:

*Resolved*, That the committee on enrolled bills be, and they are hereby instructed to employ G. G. Deshon assistant Engrossing and Enrolling Clerk of this House, and that they be empowered to employ any further assistance, should it become necessary.

Mr. Parkhurst moved that the resolution be laid on the table, which motion was lost, and

The resolution, as amended, was adopted.

Mr. Kilborn gave notice that on some future day he would ask leave to introduce a bill to provide for improving Grand river, in the township of Lansing, as a highway, and for other purposes;

Mr. Parkhurst, from the committee on engrossment and enrollment, reported a bill for the dissolution of a certain school district in the county of Oakland, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The bill appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton, was read the third time, when

Mr. Bowne, by unanimous consent, moved to amend the seventh line of section one, by striking out the word "five," before "years," and inserting "three," which amendment was agreed to, and

The bill was then passed.

The bill to repeal the sixteenth section of an act to amend the revised statutes of 1846, approved April 3, 1848, was read the third time, when



Mr. Hawley moved that it be recommitted to the committee on the organization of townships and counties, with instructions to amend the bill so as to except the city of Monroe from its provisions, if in their opinion justice requires the same, which motion was lost.

On motion of Mr. Morton,

The bill was laid on the table.

The bill to repeal an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, was read the third time and passed.

On motion of Mr. Coe,

The title was amended by inserting the words "section two of" after "repeal" and by adding the words "approved March 17, 1847."

The House having arrived at the order of unfinished business, took up the protest yesterday offered by Mr. Chamberlain against the action of the House in passing the bill to require the board of supervisors of Berrien county to construct and maintain certain bridges in said county, and

The question being on the motion of Mr. H. H. Comstock, that the same be laid on the table and leave granted to Mr. Chamberlain to withdraw the same from the files of the House, when

The motion was withdrawn by the mover.

The Speaker decided the paper not to be a protest within the meaning of the constitution, as it was not confined to a discussion of the act, but contained reflections on the House.

Mr. Chamberlain appealed from that decision, and the question being, shall the decision of the chair stand as the judgment of the House? it was decided in the affirmative, by the following vote:

## YEAS.

Mr. Allen,  
Andrews,  
Belding,  
Buck,  
Burk,  
Cady,  
Campbell,  
Coe,  
Coman,  
Curtis,  
H. H. Comstock,  
O. C. Comstock,  
David,

Mr. Flower,  
Fox,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,  
Hobart,  
Holmes,  
Kilborn,  
Lockwood,  
Lovell,  
McNair,

Mr. Moffatt,  
Moran,  
Morton,  
Mulhollen,  
Parkhurst,  
Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
Turrill,  
Tuttle,  
Waite,

Dayton,  
Deming,

McNeil,

Wright,

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## NAYS.

Mr. Giddings,

Matthews,

Wilkinson,

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On motion of Mr. H. H. Comstock,

Leave was granted to Mr. Chamberlain to withdraw the paper from the files of the House.

On motion of Mr. Lockwood,

The House adjourned.

## AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes, was taken up, and the first amendment thereto reported by the committee of the whole, was non-concurred in, and the second amendment was concurred in by the House.

On motion of Mr. Buck,

The words, "heretofore prescribed by law," were stricken out of the fourth line of section three.

Mr. Coe moved to amend the bill by adding thereto the following, to stand as a new section :

Sec. That sections seventy-one and seventy-two of said chapter twenty, are hereby amended, by striking out the words "Auditor General" wherever they occur in said sections, and insert in lieu thereof, the words "county treasurer;" so that said sections will read as follows :

Sec. 71. The county treasurer shall cause such statements to be published in the county in which the lands therein described are situate, for eight weeks successively, next previous to the first Monday in October in each year, in one newspaper printed and published in such county, if there be one, which shall have been established therein three months prior to the first day of April; and in case there is no such newspaper printed and published in the county, such statement shall be printed and published in an adjoining county, if there be such newspaper established therein; but if there is no such

newspaper printed or published in the same or any adjoining county, such statement shall be printed and published in the state paper.

Sec. 72. The newspaper in which such statements are to be published shall be designated by the county treasurer, on or before the first day of April in each year, and not afterwards, unless the proprietor of any paper so designated, shall neglect or refuse to print and publish such statement, or unless from some other cause it shall become impracticable, in which case the county treasurer shall designate some other paper for that purpose before the time limited for commencing the publication.

Pending the question on this amendment,

On motion of Mr. G. B. Turner,

The bill was laid on the table.

The bill relative to the costs of proceedings in criminal cases was taken up,

And the first amendment reported thereto by the committee of the whole was concurred in, and the second amendment was non-concurred in.

On motion of Mr. Hawley,

The words "residing out of the township or city where the court may be held," were inserted after "person" in the first line of section two.

Mr. Coe moved that the bill be recommitted to the committee on the judiciary with instructions to strike out the first section, which motion was lost, and

The bill was ordered to be read the third time.

The bill for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer, in the county of Lapeer, was taken up, and

The question being on concurring in the amendment reported by the committee of the whole, striking out all after the enacting clause,

Mr. H. H. Comstock moved to amend the second line of section one by striking out the word "three" before "thousand" and inserting "one," which motion was lost.

Mr. Haight moved that section one be stricken out, which motion was lost.

Mr. Stevens moved that all after the first section be stricken out, which motion was not agreed to.

The question then recurring on the amendment reported by the committee of the whole, striking out all after the enacting clause, it was non-concurred in.

The bill was then ordered to be engrossed and read the third time, by yeas and nays, as follows:

## YEAS.

Mr. Bacon,	Mr. Deming,	Mr. McNair,
Belding,	Flower,	Moffatt,
Burk,	Fox,	Mulhollen,
Cady,	Giddings	Parkhurst,
Coe,	Hammond,	Salyer,
H. H. Comstock,	Hawley,	Turrill,
O. C. Comstock,	Lockwood,	Wright,
Curtis,	Matthews,	Speaker,
Dayton,		

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## NAYS.

Mr. Allen,	Mr. Holmes,	Mr. St. Clair,
Campbell,	Kilborn,	Stevens,
Coman,	McNeil,	G. B. Turner,
Haight,	Moran,	J. W. Turner
Harger,	O'Malley,	Tuttle,
Hartsuff,	Pennoyer,	Waite,
Hobart,	Smith,	Wilkinson,

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The bill to authorize Jacob Barns, guardian of Cornelius Barns, to sell certain real estate, was taken up, and the amendments reported thereto by the committee of the whole, were non-concurred in, and

The bill was ordered to be read the third time.

The bill for the relief of the township of Waterloo, in the county of Jackson, was taken up, and the amendment thereto reported by the committee of the whole, was concurred in.

On motion of Mr. Fox,

The following amendments were made to the bill, viz:

The words "until the contrary appear" were stricken out of the third line of section four; the word "ten" was stricken out of the first line of section seven, and "five" inserted; and the word "first," where it occurs in the second and third lines of the same section was stricken out and "twentieth" inserted.

The bill was then ordered to be engrossed and read the third time.

The bill to amend the revised statutes in relation to the printing of the annual reports of the state officers, was ordered to be engrossed and read the third time.

The bill to amend section thirty-four of chapter one hundred and

thirty-four of the revised statutes of 1846, was ordered to be read the third time.

The House then resolved itself into committee of the whole on the special order, Mr. G. B. Turner in the chair.

And after spending some time thereon, the committee rose, and by their chairman, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Salyer,

The House adjourned.

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*Wednesday, March 7, 1848.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Chittenden, Davis, Earl, Ferguson, M. S. Gillett, Hatch, Ingersoll, Mosher and Tilden were absent on leave, and Mr. A. Gillet was absent without leave.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of Johnson Niles for services and expenses in going for Mr. Hatch, a member of this House, as per resolution, reported the same back and recommended its allowance at a sum therein named, and recommended that it be referred to the committee on ways and means, with instructions to embody the amount in the general appropriation bill; which report was accepted and the committee discharged from the further consideration of the subject, and the claim was referred to the committee on ways and means with the instructions.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to incorporate the Minnesota mining company; and

A bill to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly engrossed, viz:

A bill for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer, in the county of Lapeer;

A bill for the relief of the township of Waterloo, in the county of Jackson; and

A bill to amend the revised statutes in relation to printing of the annual reports of the state officers.

Mr. O'Malley, from the committee on the state library, to whom was referred the joint resolution relative to furnishing legislative documents to Louis Napoleon Bonaparte, president of the French republic, reported the same back and asked to be discharged from its further consideration; which report was accepted and the committee discharged, and

The joint resolution was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Kilborn, from the committee on public lands, reported a bill to provide for the sale of university lands in the county of Berrien, and

A bill to provide for draining low lands in the town of Lansing, and for other purposes;

Which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, to whom was referred the Senate bill providing for the improvement of the state road leading from the village of Flint, in the county of Genesee, via the Miller settlement, to Shiawassee town, reported the same back and recommended that it be not passed, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, reported a bill to amend chapter twenty-four of the revised statutes of 1846, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom was referred the petition of L. H. Ion and others, of Eaton county, relative to the laying out of a certain road in said county, reported the same back, and asked to be discharged from its further consideration; which report was accepted and the committee discharged.

Mr. Matthews, from the committee on the organization of townships and counties, to whom was referred sundry petitions for the or-

ganization of a new county out of parts of the counties of Lenawee and Hillsdale, reported adverse to the prayer of the petitions; which report was accepted and the committee discharged from the farther consideration of the subject.

The following communication was announced :

EXECUTIVE OFFICE, }  
Lansing, March 6, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend section thirteen of chapter sixty-six of the revised statutes;

An act to amend the revised statutes of one thousand eight hundred and forty-six;

An act to provide for laying out and establishing a state road from Richland, in Kalamazoo county, to Hastings, in Barry county; and

Also a joint resolution requiring reports from certain special commissioners.

EPAPHRO. RANSOM.

The following communication was received from the Auditor General :

AUDITOR GENERAL'S OFFICE, }  
Lansing, March 6, 1849. }

HON. LEANDER CHAPMAN,

*Speaker of the House of Representatives:*

SIR—As the number of applications for statements or certificates from this office, in regard to lands sold for taxes, and on which the time of redemption is expired, is of late largely increasing, and as the answering of them occupies, in some instances, much time of some of the clerks in the office, without there being any regular office charges established by law, to meet the expense, I would respectfully call the attention of the legislature to the subject. And I would take the liberty of asking the reference of this communication to some appropriate committee of the House, in order that some resolution, or an amendment to some bill now pending before the legislature, may be introduced, authorizing proper office charges in such cases.

Yours, most respectfully,

JOHN J. ADAM,  
Auditor General.

On motion of Mr. Deming,

The foregoing communication was referred to the committee on ways and means.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 7, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit to you the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to regulate the carrying of baggage by railroad companies;

A bill to incorporate the Battle Creek and Hastings plank road company; and

A bill to incorporate the Jackson and Mason plank road company.

I am further instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county; and

A bill to amend section four, chapter eighty-eight of the revised statutes of 1846.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county; and

The bill to amend section four of chapter eighty-eight of the revised statutes of 1846,

Were ordered to be enrolled.

The following entitled Senate bills were severally read twice and referred to the committee on banks and incorporations, viz:

A bill to regulate the carrying of baggage by railroad companies;

A bill to incorporate the Jackson and Mason plank road company; and

A bill to incorporate the Battle Creek and Hastings plank road company.

Mr. J. W. Turner offered the following resolution:

*Resolved,* That each bill reported against by any standing committee shall be taken from the files, whether upon the general order



or otherwise, by the Clerk, who shall keep the same separate from other bills; and that none of the said bills so separated shall be considered hereafter, unless by the consent of at least two-thirds of the House.

Mr. G. B. Turner moved that the resolution be amended by inserting the word "hereafter" before "reported" in the first line, which motion was lost.

Mr. Hawley offered the following as a substitute for the resolution, which was not adopted, viz:

*Resolved*, That the bills on the general order be referred to a committee of twelve, to be appointed by the Speaker, who shall report upon the propriety of further action by this House upon such bills, and that they report the several bills according to their order on the general order, as fast as the committee have passed upon them.

The original resolution was then adopted.

Mr. Belding gave notice that on some future day he would ask leave to introduce a bill to repeal an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes, approved March 8, 1843.

Mr. Hawley, by unanimous consent, previous notice not having been given, introduced a bill to provide for draining certain low lands in the city of Detroit, which was read twice and referred to the committee on public lands.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a bill appropriating certain non-resident highway taxes for the improvement of the road running from Hillman's Grove House, in the county of Livingston, to the village of Pontiac, in the county of Oakland, which was read twice and referred to the committee on roads and bridges.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for improving Grand river, in the township of Lansing, as a public highway, which was read twice, and referred to the committee on internal improvement.

Mr. O'Malley gave notice that on some future day he would ask leave to introduce a bill to provide for binding the illustrated dramatic works of Shakspeare, now in the state library, and for other purposes.

On motion of Mr. G. B. Turner,

The bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes, was taken from the table, and

The question being on the amendment yesterday offered by Mr. Coe,

Mr. G. B. Turner moved that the bill be committed to the committee on state affairs, with instructions to insert Senate bill number twenty-four, immediately after the printed bill, and in lieu of pending amendments, which motion prevailed.

Mr. Deming moved a reconsideration of the vote by which the following resolution was yesterday adopted, viz.:

*Resolved*, That the committee on enrolled bills be, and they are hereby instructed to employ G. G. Deshon assistant Engrossing and Enrolling Clerk of this House, and that they be empowered to employ any further assistance should it become necessary.

Mr. J. W. Turner moved to lay the motion on the table, which did not prevail, and

The question then being on the motion to reconsider, it was decided in the affirmative, by the following vote:

## YEAS.

Mr. Allen,	Mr. David,	Mr. Moffatt,
Andrews,	Dayton,	O'Malley,
Belding,	Deming,	Parkhurst,
Bowne,	Haight,	Salyer,
Buck,	Harger,	St. Clair,
Chamberlain,	Hobart,	Stevens,
Coe,	Holmes,	Wilkinson,
Coman,	McNair,	Wright,
H. H. Comstock,	McNeil,	Speaker,
		27

## NAYS.

Mr. Bacon,	Mr. Hammond,	Mr. Pennoyer,
Burk,	Hartsuff,	Smith,
Cady,	Kilborn,	Stoddard,
Campbell,	Lockwood,	G. B. Turner,
Curtis,	Lovell,	J. W. Turner,
Flower,	Matthews,	Turrill,
Fox,		
		19

Mr. Kilborn moved a call of the House, which motion was not ordered, and

The question recurring on the adoption of the resolution, it was lost, by the following vote:

YEAS.

Mr. Bacon,	Mr. Hartsuff,	Mr. Pennoyer,
Burk,	Kilborn,	Smith,
Cady,	Lockwood,	Stoddard,
O. C. Comstock,	Lovell,	G. B. Turner,
Curtis,	Matthews,	J. W. Turner,
Flower,	Morton,	Tuttle,
Hammond,	Mulhollen,	

20

NAYS.

Mr. Allen,	Mr. Dayton,	Mr. 'O'Malley,
Andrews,	Deming,	Salyer,
Belding,	Fox,	St. Clair,
Bowne,	Haight,	Stevens,
Buck,	Harger,	Waite,
Campbell,	Hobart,	Wilkinson,
Coman,	Holmes,	Wright,
H. H. Comstock,	Moffatt,	Speaker,
David,		

25

On motion of Mr. David,

*Resolved*, That the committee on engrossment and enrollment be, and they are hereby authorized to employ a suitable person as an assistant Enrolling and Engrossing Clerk, at any time when they shall deem it necessary, and that they have power at any time to discharge said assistant.

The bill for the relief of the township of Waterloo, in the county of Jackson, was read the third time and passed.

The bill to amend the revised statutes in relation to the printing of the annual reports of the state officers, was read the third time, and

On motion of Mr. Coe,

Laid on the table.

The bill to authorize Jacob Barns, guardian of Cornelius Barns, to sell certain real estate, was read the third time and passed.

The bill to amend section thirty-four of chapter one hundred and thirty-four of the revised statutes of 1846, was read the third time, and

On motion of Mr. Coe,

Laid on the table.

The bill relative to costs of proceedings in criminal cases, was read the third time, when

Mr. Chamberlain moved that it be recommitted to the committee on the judiciary with instructions to strike out section one and to make such other amendments as they might deem advisable, which motion was lost, and

The question recurring on the passage of the bill,

It was passed, by yeas and nays, as follows:

## YEAS.

Mr. Bacon,	Mr. Haight,	Mr. O'Malley,
Belding,	Harger,	Parkhurst,
Burk,	Hartsuff,	Salzer,
Cady,	Hawley,	Smith,
Campbell,	Holmes,	Stoddard,
H. H. Comstock,	Kilborn,	G. B. Turner,
Curtis,	Lovell,	J. W. Turner,
David,	Matthews,	Waite,
Deming,	McNair,	Wilkinson,
Flower,	McNeil,	Wright,
Fox,	Muhlollen,	

32

## NAYS.

Mr. Allen,	Mr. Dayton,	Mr. Moran,
Buck,	Giddings,	Pennoyer,
Chamberlain,	Hammond,	St. Clair,
Chittenden,	Hobart,	Stevens,
Coe,	Lockwood,	Turrill,
Coman,	Moffatt,	Speaker,
O. C. Comstock,		

19

The bill for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer in the county of Lapeer, was read the third time, and the question being on its passage, it was decided in the negative.

The House then resolved itself into committee of the whole on the special order of yesterday, Mr. G. B. Turner in the chair.

And after spending some time thereon, the committee rose and by their chairman reported back the following entitled bills, with sundry amendments in which the concurrence of the House was asked, viz:

A bill to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, and

A bill to incorporate the president, directors and company of the Peninsular bank.

The amendments reported to the first named bill were concurred in, in gross, and

The bill was then ordered to be engrossed and read the third time, by the following vote:

## YEAS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. Matthews,
Andrews,	David,	Moffatt,
Belding,	Dayton,	Morton,

Buck,	Fox,	Mulhollen,	
Burk,	Haight,	O'Malley,	
Campbell,	Hammond,	Salyer,	
Chittenden,	Harger,	Stevens,	
Coe,	Hawley,	Stoddard,	
Coman,	Hobart,	Turrill,	
H. H. Comstock,	Kilborn,	Waite,	30
NAYS.			
Mr. Bacon,	Mr. Lockwood,	Mr. St. Clair,	
Bowne,	McNair,	G. B. Turner,	
Chamberlain,	McNeil,	J. W. Turner,	
Curtis,	Moran,	Tuttle,	
Deming,	Parkhurst,	Wilkinson,	
Flower,	Pennoyer,	Wright,	
Holmes,	Smith,	Speaker,	21

All the amendments reported to the bill to incorporate the president, directors and company of the Peninsular bank, except the amendment to the thirteenth section, were concurred in, in gross.

The amendment to the thirteenth section, which strikes out the word "other" before "taxes" and inserts "state," was non-concurred in, by yeas and nays, as follows:

YEAS.		
Mr. Allen,	Mr. Deming,	Mr. St. Clair,
Andrews,	Flower,	G. B. Turner,
Bacon,	Kilborn,	J. W. Turner,
Belding,	McNair,	Turrill,
Bowne,	McNeil,	Waite,
Burk,	Parkhurst,	Wilkinson,
Cady,	Pennoyer,	Wright,
Chamberlain,	Smith,	Speaker,
Curtis,		

25.

NAYS.		
Mr. Buck,	Mr. Fox,	Mr. Matthews,
Campbell,	Haight,	Moffatt,
Chittenden,	Hammond,	Moran,
Coe,	Harger,	Mulhollen,
Coman,	Hartsuff,	O'Malley,
H. H. Comstock,	Hawley,	Salyer,
O. C. Comstock,	Hobart,	Stevens,
David,	Holmes,	Stoddard,
Dayton,	Lovell,	Tuttle,

27

On motion of Mr. Bowne,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker, and

Resumed the consideration of the bill to incorporate the president, directors and company of the Peninsular bank, and

The bill was ordered to be engrossed and read the third time, by the following vote:

## YEAS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. Lockwood,
Andrews,	David,	Lovell,
Buck,	Fox,	Matthews,
Burk,	Harger,	Moran,
Campbell,	Hartsuff,	Mulhollen,
Chittenden,	Hawley,	O'Malley,
Coe,	Hobart,	Salter,
Coman,	Holmes,	Stevens,
H. H. Comstock,	Kilborn,	Stoddard,
		27

## NAYS.

Mr. Bacon,	Mr. McNair,	Mr. G. B. Turner,
Bowne,	McNeil,	J. W. Turner,
Curtis,	Parkhurst,	Wilkinson,
Deming,	Pennoyer,	Wright,
Flower,	Smith,	Speaker,
		15

The House then resolved itself into a committee of the whole, on the special order of the day, Mr. Deming in the chair.

And after spending some time thereon, the committee rose and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Allen,

The House adjourned.

*Thursday, March 8, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called; and Messrs. Davis, Earl, Ferguson, M. S. Gillett, Hatch, Mosher and Tilden were absent on leave, and Messrs. Belding, Dayton, A. Gillet, Moffatt and O'Malley were absent without leave.

Mr. Hobart asked and obtained leave of absence for Mr. Moffatt for one week.

Mr. McNeil for Mr. Dayton, for the same time.

Mr. Harger for Mr. Belding, until Tuesday next.

Mr. Haight for Mr. A. Gillet, for two days.

Mr. Lockwood presented the petition of Lozima Wilson; asking the passage of an act to authorize her to sell and convey certain real estate; referred to the committee on the judiciary.

The Speaker presented the memorial of Thos. Whepley, relative to a division of the townships of Ash and Frenchtown; referred to the committee on the organization of townships and counties.

Mr. Flower presented the petition of Thomas Smith and one hundred and eighteen others, inhabitants of the county of Shiawassee, for the vacation of the county seat of said county; referred to the committee on the organization of townships and counties.

Mr. Harger presented the petition of Joseph Grey and nine others, for the passage of a law allowing him to purchase certain university lands; referred to the committee on public lands.

Mr. Deming, from the committee on roads and bridges, reported a bill to provide for laying out a state road from the township of Ingham, in Ingham county, to the village of Dexter, in the county of Washtenaw, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming from the same committee, to whom was referred the petition of Chester Stoddard, and others, of the township of Woodbridge, for authority to levy a specific tax for the improvement of a certain road, reported adverse to any action thereon, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Kilborn, from the committee on public lands, to whom was referred the bill to provide for draining certain low lands in the vicinity of Detroit, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, to whom was referred the bill to provide for improving Grand river, in the township of Lansing, as a public highway, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Flower, from the committee on the organization of townships and counties, to whom was referred the petition of A. Hawley and others, of the township of Sherman, asking that said township may be attached to the township of Sturgis, in St. Joseph county; and

The petition of citizens of the township of Warren, in the county of Macomb, asking that certain portions of said township may be attached to the township of Erin, in said county.

Reported adverse to the prayer of the petitions, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Chamberlain, from the committee on federal relations, to whom was referred the preamble and joint resolutions relative to slavery and the slave trade in the district of Columbia, submitted a written report thereon, together with a substitute for the joint resolution, which report was accepted and the committee discharged from the further consideration of the subject.

On motion of Mr. G. B. Turner,

The report, preamble and joint resolution, and substitute, were laid on the table and ordered to be printed.

Mr. Chamberlain, from the same committee, to whom was referred the memorial of the yearly meeting of Friends, relative to the passage of a law prohibiting our citizens from assisting in arresting fugitive slaves, reported the same back and recommended that it be referred to the committee on the judiciary with instructions to report a bill in accordance with the prayer of the memorialists, if, in their opinion, such a law would not conflict with the constitution and laws of the United States.

Which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Coe moved that the memorial be laid on the table; which motion was lost, and

It was referred to the committee on the judiciary with the instructions.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the following entitled Senate bills, reported the same back without amendment, and recommended their passage, viz :

A bill to incorporate the Jackson and Mason plank road company;



A bill to incorporate the Battle Creek and Hastings plank road company;

A bill to incorporate the trustees of the Mountain Home cemetery;

A bill to incorporate the Saginaw bay gypsum company; and

A bill to revive and continue in force an act entitled an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, under the name and style of the Deiroit fire and marine insurance company;

Which report was accepted, and the committee discharged from, the further consideration of the subjects, and the bills were referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom was referred the Senate bill to regulate the carrying of baggage by railroad companies, reported the same back without amendment, and recommended that it be not passed; which report was accepted and the committee discharged, and the bill was placed on the file of bills reported against.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed;

A bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto; and

A bill to incorporate the president, directors and company of the Peninsular bank.

Mr. Matthews, from the committee on the organization of townships and counties, reported a bill to organize certain townships, and for other purposes, which was read twice, and

On motion of Mr. H. H. Comstock,

Laid on the table.

Mr. Chamberlain, from the committee on federal relations, reported a bill relative to the support of the poor, in the several counties of this state; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the committee on roads and bridges, reported a bill to provide for laying out and establishing a certain state road in the counties of Oakland and Lapeer; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Giddings, from the committee on state affairs, reported a bill to provide for the service of writings, processes and notices in certain cases, upon persons in the employ of certain corporate companies; which was read twice, and

On motion of Mr. G. B. Turner,

Laid on the table and ordered to be printed.

Mr. Smith, from the committee on agriculture and manufactures, to whom was referred the preamble and joint resolution relative to Moore and Hascall's harvesting machine, reported the same back without amendment and recommended its passage; which report was accepted and the committee discharged from the further consideration of the subject, and

The preamble and joint resolution was referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 7, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to incorporate the Minnesota mining company;

Also an act to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 8, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bills and joint resolutions, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to authorize the minor heirs of the late Jesse Tuttle, deceased, to convey certain real estate;

A bill to authorize Linas Jacox, to convey certain real estate;

A bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto; and

Joint resolution authorizing the commissioner of the state land office, to issue certificates of purchase of certain school lands to Thomas B. Abell.

I am further instructed to inform you that the Senate insist upon their amendments to the bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals, which bill is herewith returned.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to authorize the minor heirs of the late Jesse Tuttle, deceased, to convey certain real estate, and

The Senate bill to authorize Linas Jacox to convey certain real estate,

Were severally read twice and referred to the committee on the judiciary.

The Senate bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto, was read twice and referred to the committee on banks and incorporations.

The Senate joint resolution authorizing the commissioner of the state land office to issue a certificate of purchase of certain school lands to Thomas B. Abell, was read twice and referred to the committee on public lands.

The House insisted on their disagreement to the Senate amendments to the bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals.

On motion of Mr. Coe,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on said bill, and

The Speaker appointed Messrs. Coe, G. B. Turner and Chamberlain as such committee.

Mr. Hartsuff gave notice that on some future day he would ask leave to introduce a bill to require township clerks to take and preserve certain newspapers for the use of their respective townships.

Mr. Moran offered the following resolution:

*Resolved*, That Johnson Niles, Esq., be and is hereby appointed Sergeant-at-Arms *pro tempore*, and that he be instructed forthwith to proceed to the residence of the Honorable Fenner Ferguson, and bring him to the bar of the House.

On motion of Mr. Parkhurst,

The resolution was laid on the table.

On motion of Mr. J. W. Turner,

The bill to incorporate the Detroit fire and marine insurance company, was taken from the general order, and placed on the file of bills reported against.

Mr. Ingersoll moved that the committee of the whole be discharged from the further consideration of the bill to incorporate the Isle Royal mining company, which motion prevailed.

The bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. Haight offered the following resolution:

*Resolved*, That this House will not receive any petitions, except for objects of general interest, after the tenth day of March instant.

On motion of Mr. H. H. Comstock,

The resolution was laid on the table.

Mr. Salyer gave notice that he would on some future day ask leave to introduce a bill authorizing Esther Tuthill to convey certain real estate.

On motion of Mr. G. B. Turner,

The vote by which the bill for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer, in the county of Lapeer, was passed, was reconsidered, and the bill was laid on the table.

Mr. Chamberlain gave notice that he would on some future day ask leave to introduce a joint resolution authorizing the appointment of a committee to examine the books, papers and accounts of the state officers.

Mr. H. H. Comstock, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act, approved March 19, 1838, vacating a portion of the village plat of Otsego, which was read twice and referred to the committee on the organization of townships and counties.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill taxing bachelors for the relief of indigent widows and orphans, which was read twice and referred to the committee on state affairs.

The bill to incorporate the president, directors and company of the

Peninsular bank, was read the third time and passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,  
Andrews,  
Bowne,  
Buck,  
Burk,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Fox,

Mr. Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Hartsuff,  
Hawley,  
Hobart,  
Holmes,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,

Mr. Moran,  
Morton,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Salyer,  
St. Clair,  
Stevens,  
Stoddard,  
Turrill,  
Tuttle,  
Waite,

37

## NAYS.

Mr. Bacon,  
Cady,  
Chamberlain,  
Curtis,  
Deming,  
Flower,

Mr. Harger,  
Ingersoll,  
McNair,  
Penroyer,  
Smith,

Mr. G. B. Turner,  
J. W. Turner,  
Wilkinson,  
Wright,  
Speaker,

16

The bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, was read the third time, when

Mr. H. H. Comstock, by unanimous consent, moved to add the following proviso to section fifteen, which motion prevailed, viz :

"*Provided*, That said repeal shall in no wise release or discharge the present stockholders of said company from their liability to redeem all bills, notes and evidences of debt against said corporation, existing at the time the stockholders avail themselves of the provisions of this act."

Mr. Ingersoll, by unanimous consent, moved that section five be amended by adding thereto, the words "and all bills or notes issued by the said bank, shall have preference over all debts whatsoever, upon all the assets and property of the said Michigan Insurance company;" which motion prevailed.

The question then recurring on the passage of the bill, it was decided in the negative, by the following vote, two-thirds not voting in the affirmative :

## YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Matthews,
Bowne,	Haight,	Moran,
Buck,	Hammond,	Morton,
Campbell,	Harger,	Mulhollen,
Chittenden,	Hartsuff,	O'Malley,
Coe,	Hawley,	Salzer,
Coman,	Hobart,	Stevens,
H. H. Comstock,	Holmes,	Stoddard,
O. C. Comstock,	Kilborn,	Turrill,
David,	Lovell,	Tuttle,
Fox,		

34

## NAYS.

Mr. Allen,	Mr. Ingersoll,	St. Clair,
Bacon,	Lockwood,	G. B. Turner,
Burk,	McNair,	J. W. Turner,
Cady,	McNeil,	Waite,
Chamberlain,	Parkhurst,	Wilkinson,
Curtis,	Pennoyer,	Wright,
Deming,	Smith,	Speaker,
Flower,		

22

On motion of Mr. Ingersoll,

The last vote was reconsidered, and the bill was laid on the table.

The bill to incorporate the Isle Royal mining company, was read the third time and passed by a two-thirds vote, as follows :

## YEAS.

Mr. Allen,	Mr. Flower,	Mr. Mulhollen,
Andrews,	Hammond,	O'Malley,
Bowne,	Hartsuff,	Parkhurst,
Buck,	Hawley,	Salzer,
Burk,	Ingersoll,	Stevens,
Cady,	Kilborn,	Stoddard,
Campbell,	Lockwood,	J. W. Turner,
Chamberlain,	Lovell,	Turrill,
Coman,	Matthews,	Tuttle,
O. C. Comstock,	McNeil,	Waite,
Curtis,	Moran,	Speaker,
David,	Morton,	

35

## NAYS.

Mr. Bacon,	Mr. Harger,	Mr. Smith,
Coe,	Holmes,	G. B. Turner,
Deming,	McNair,	Wilkinson,
Fox,	Pennoyer,	Wright,

12

The House then resolved itself into a committee of the whole on the special order of yesterday, Mr. Deming in the chair,

And after spending some time thereon the committee rose and by

their chairman reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to define the jurisdiction of county courts, and for other purposes.

The amendments were concurred in, in gross, and

On motion of Mr. J. W. Turner,

The bill was recommitted to the committee on the judiciary.

On motion of Mr. G. B. Turner,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker, and

Resolved itself into a committee of the whole on the general order, Mr. Ingersoll in the chair.

And after spending some time thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill for the improvement of the road leading from Hillman's, in the township of Tyrene, and county of Livingston, to Pontiac, in the county of Oakland;

A bill to enlarge the powers and increase the number of officers in school district number four, in the township of Ypsilanti;

A bill to repeal an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and for other purposes;

A bill to regulate cost in certain cases;

A bill to amend section eighteen of chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a certain state road in said township;

A bill to vacate the plat of the village of Sharon, in the county of Washtenaw, and

A bill to amend chapter one hundred and seventy-two of the revised statutes of 1846.

And also reported back with sundry amendments in which the concurrence of the House was asked,

A bill to authorize the re-location of the northern wagon road between the villages of Flint and Corunna;

A bill to alter the dividing line between the counties of St. Clair and Sanilac;

A bill to incorporate the grand lodge of free and accepted masons of the state of Michigan; and

Joint resolution in regard to a state convention.

The following entitled bills were severally ordered to be engrossed and read the third time, viz:

A bill to amend chapter one hundred and seventy-two of the revised statutes of 1846;

A bill to vacate the plat of the village of Sharon, in the county of Washtenaw; and

A bill to authorize the commissioners of highways of the township of Pulaaki, in the county of Jackson, to discontinue and alter a certain state road in said township.

The bill to amend section eighteen of chapter one hundred and twenty-three of the revised statutes of 1846, was taken up, and

On motion of Mr. Ingersoll,

Amended by striking out of the fourth line of section one the words "and figures."

The bill was then ordered to be engrossed and read the third time.

The bill to regulate costs in certain cases, was then taken up, and

On motion of Mr. G. B. Turner,

Amended by inserting the words "in which the costs have not been taxed," after "effect," in the second line of section one.

The bill was then ordered to be engrossed and read the third time.

The bill to repeal an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and for other purposes, was,

On motion of Mr. J. W. Turner,

Recommitted to the committee on the judiciary with general instructions.

The bill for the improvement of the road leading from Hillman's, in the township of Tyrone, and county of Livingston, to Pontiac, in the county of Oakland, was taken up, and



On motion of Mr. Lockwood,

Its further consideration was indefinitely postponed.

The bill to enlarge the powers and increase the number of officers in school district number four, in the township of Ypsilanti, was ordered to be read the third time.

The amendments reported by the committee of the whole to the bill to authorize a re-location of the northern wagon road between the villages of Flint and Corunna, were severally concurred in, and the bill was ordered to be read the third time.

The joint resolution in regard to a state convention, was,

On motion of Mr. Parkhurst,

Laid on the table.

The amendment reported by the committee of the whole to the bill to alter the dividing line between the counties of St. Clair and Sanilac, was concurred in, and

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The amendments reported to the bill to incorporate the grand lodge of free and accepted masons, was concurred in.

On motion of Mr. Coe,

The four following sections were added to the bill:

"Sec. —. The stockholders of this corporation shall be individually liable for all debts incurred by said company to the amount of stock by each of them severally held: *Provided*, That the corporate property shall be first exhausted before the private property of any member of said company shall be taken.

"Sec. —. The said company shall pay to the treasurer of the state of Michigan an annual tax of one per cent. on the whole amount of capital paid in upon the capital stock of said company, which tax shall be paid on the first Monday of June in each year, or within ten days thereafter.

"Sec. —. It shall not be lawful for said company to use their funds, or any part thereof, in any banking or brokerage, or exchange, or in buying or selling money or bank notes, or in any other business whatever, except that especially provided for by this act.

"Sec. —. The legislature may at any time alter, amend, or repeal this act."

Mr. Buck moved that the fourth line of section two be amended

by striking out the word "seal," and inserting "brand," which motion was lost.

Mr. J. W. Turner moved to amend the bill by adding thereto the following section, which motion was lost, viz:

"Sec. —. That the grand officers of this society, shall procure a library for the use of the society, and whenever they shall determine any matter, they shall put the same in writing, certified to by them, and affix the brand of the society."

Mr. David moved that the bill be laid on the table, which motion was lost.

Mr. David moved an adjournment, but the House refused to adjourn.

Mr. Coe moved to amend the fifth line of section one by striking out the word "accepted" before "masons" and inserting "easy," which motion was lost, by the following vote:

## YEAS.

Mr. Andrews,  
Buck,  
Coe,  
Coman,  
Flower,

Mr. A. Gillet,  
Haight,  
Hammond,  
Hobart,  
Lockwood,

Mr. Lowell,  
Matthews,  
Stevens,  
Waite,

14.

## NAYS.

Mr. Bowne,  
Cady,  
Campbell,  
Chamberlain,  
Curtis,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Deming,

Mr. Fox,  
Harger,  
Hartsuff,  
Holmes,  
Ingersoll,  
Kilborn,  
McNair,  
McNeil,  
Mulhollen,

Mr. Parkhurst,  
Pennoyer,  
Smith,  
Stoddard,  
G. B. Turner,  
J. W. Turner,  
Tuttle,  
Wilkinson,  
Speaker

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On motion of Mr. David,

The bill was laid on the table.

On motion of Mr. Stevens,

The House adjourned.

*Friday, March 9, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Belding, Davis, Dayton, Earl, Ferguson, M. S. Gillett, Hatch, Moffatt, Mosher and Tilden were absent on leave, and Mr. Giddings was absent without leave.

Mr. Hobart asked and obtained leave of absence for Mr. Giddings for one week.

Mr. Pennoyer presented the petition of Charles G. Hammond, asking a reference of all matters of difference between him and the state to a jury or to the board of state auditors, or to some other equitable tribunal created by the legislature.

On motion of Mr. Chittenden,

The memorial was laid on the table and ordered to be printed.

Mr. J. W. Turner presented the petition of W. L. Larned and fifty others, for authority to raise a special tax to make a road on the county line between Lenawee and Hillsdale; referred to the committee on roads and bridges.

Mr. J. W. Turner also presented the petition of Levi Treadwell and forty-two others, of Wheatland; of James Welch and forty-four others, of Hudson; of John Ward and thirty-four others, of Wright; of Liberty Marble and forty-nine others, and of William M. Osborn and fifty others, for the formation of a new county from Lenawee and Hillsdale counties; referred to the committee on the organization of townships and counties.

Mr. O. C. Comstock presented the petition of Abner Baker and others, of the county of Calhoun, for an amendment to the license law; referred to the committee on state affairs.

Mr. Kilborn presented the petition of Henry M. Fish and others, for the incorporation of the village of Leslie; referred to the committee on banks and incorporations.

Mr. Deming, from the committee on roads and bridges, reported a bill to provide for laying out a state road from Ohio, north to the village of Hudson, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom was referred the bill appropriating certain non-resident highway taxes for the improvement of the road running from Hillman's Grove House, in the county of Livingston, to the village of Pontiac, in the county of Oakland, reported the same back without amendment and recommended

its passage; which report was accepted, the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Deming, from the same committee, to whom were referred sundry petitions and remonstrances, relative to a certain state road, in Shiawassee county, reported adverse to any legislative action on the subject; which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. David, from the committee on engrossment and enrollment, reported that the following entitled bill and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to amend section four of chapter eighty-eight of the revised statutes of 1846; and

A joint resolution relative to salt spring lands in the town of Saline.

Mr. David, from the same committee, reported that the following entitled bills were correctly engrossed, viz:

A bill to amend chapter one hundred and seventy-two of the revised statutes of 1846;

A bill to amend section eighteen of chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a certain state road;

A bill to vacate the plat of the village of Sharon, in the county of Washtenaw; and

A bill to regulate costs in certain cases.

Mr. Flower, from the minority of the committee on the organization of townships and counties, submitted the following report, accompanied by a bill.

The chairman of the committee on the organization of townships and counties, to whom were referred the petitions and remonstrances of inhabitants of Shiawassee county, in regard to the vacation and re-location of the seat of justice of said county, submits the following report:

The petitioners set forth that the present seat of justice for said county, is situated very inconveniently for a very large majority of

the inhabitants of said county. That business does not naturally draw towards that point, and that it is an onerous tax upon the inhabitants of the county to be obliged to go there to do their county business. That Corunna, where it is now located, is not, and never has been a flourishing place of business. As proof of this fact, they make the following statement :

The seat of justice has been located at Corunna thirteen years; that county polls nine hundred votes, and that the village of Corunna and the town in which it is situated, aided by the county seat for thirteen years, only polls one hundred of that number. They believe another such instance cannot be found in the state of Michigan.

They further set forth that Corunna is *not* and cannot be, from its situation and its limited water power, a good market for the products of the county. The line of travel and general thoroughfare through the county is from five to eight miles south upon the Grand river road. That those wishing to do business at the county seat are obliged to go so much out of the way.

They say that the subject of the county seat has been a source of irritation and discord, from its location to the present time, and they firmly believe that the people of the county will never be satisfied until it is vacated and re-located, and that this difficulty has greatly hindered the settlement and prosperity of the county.

As an evidence of the feeling heretofore upon this subject, the petitioners presented to your committee, petitions presented to the legislature in 1841, when they say every voter in the county was called upon, and their signatures obtained, either for or against vacation, from which it appears that at that time there were four hundred and twenty-one for and one hundred and nineteen against it.

Your committee, upon an examination of the petitions for and against vacation, which were referred to them, find a very large majority in favor of vacation and re-location of the county seat.

If, as a general rule, the will of the majority, when fairly expressed, should govern, your committee can see no good reason why this case should be an exception, and therefore report the following bill.

The bill to vacate the seat of justice of Shiawassee county, and for other purposes, was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Flower, from the same committee, to whom was referred the

bill to amend an act, approved March 19, 1838, vacating a portion of the village plat of Otsego, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Coe, from the committee on the judiciary, reported a bill to require the county treasurers to cancel and adjust certain sales of lands for taxes, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. H. H. Comstock, from the committee of conference on the part of the House, on the disagreement between the two Houses on the bill to incorporate the Siskowit-mining company of Michigan, reported that the committee had agreed to recommend to the House to recede from their first amendment to the bill, and that the Senate concur in the fifth amendment thereto, which report was accepted and the committee discharged.

The House then receded from the first amendment of the bill.

The following message was received from the Senate:

SENATE CHAMBER, }  
*Lansing, March 9, 1849.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to extend the corporate limits of the village of Kalamazoo, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

I am further instructed to respectfully inform you that the Senate have concurred in the amendments of the House to a bill relative to the costs of proceedings in criminal cases, and have ordered the same as amended to be enrolled.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The Senate bill to extend the corporate limits of the village of Kalamazoo, was read twice and referred to the committee on banks and incorporations.

Mr. Ingersoll moved a reconsideration of the vote by which the memorial of Charles G. Hammond was ordered to be printed, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Bowne,	Mr. A. Gillet,	Mr. Parkhurst,
Buck,	Haight,	Salver,
Burk,	Hammond,	J. W. Turner,
Cady,	Holmes,	Turrill,
Chamberlain,	McNeil,	Waite,
Coe,	Mulhollen,	Speaker, 18

## NAYS.

Mr. Andrews,	Mr. Flower,	Mr. Moran,
Bacon,	Fox,	Morton,
Campbell,	Harger,	Pennoyer,
Chittenden,	Hartsuff,	Smith,
Coman,	Hawley,	Stevens,
H. H. Comstock,	Hobart,	Stoddard,
O. C. Comstock,	Kilborn,	G. B. Turner,
Curtis,	Lockwood,	Tuttle,
David,	Lovell,	Wilkinson, 29
Deming,	McNair,	

Mr. H. H. Comstock gave notice that he would on some future day ask leave to introduce a joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers and other records, in the offices of the state Treasurer and Auditor General, since the year 1842.

Mr. O'Malley, pursuant to previous notice, asked and obtained leave to introduce a bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakespeare, and for other purposes, which was read twice and referred to the committee on the state library.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill to legalize notices given in pursuance of stipulations in the sale of real estate, and other property; which was read twice, and referred to the committee on the judiciary.

Mr. Lovell, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to amend an act to authorize the supervisors of the county of Kent to construct a

canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849; which was read twice and referred to the committee on internal improvement.

Mr. J. W. Turner moved that the action of the twenty-seventh rule be suspended; which motion was lost.

Mr. Lockwood gave notice that he would on some future day ask leave to introduce a bill to provide for laying out a state road from the village of Howell, in the county of Livingston, to the village of Pontiac, in the county of Oakland, and for the appropriation of certain non-resident highway taxes thereon.

On motion of Mr. H. H. Comstock,

The bill to organize certain townships, and for other purposes, was taken from the table.

On motion of Mr. Andrews,

The first section of the bill was amended by inserting the words "Pine Grove" in the blank in the eighth line.

The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. G. B. Turner moved that the memorial of Charles G. Hammond be taken from the table and referred to a proper standing committee of this House, and that the printing of said memorial be dispensed with.

Mr. Hawley moved to amend the motion by striking out all after the word "House,"

Pending which,

On motion of Mr. Fox,

The original motion was laid on the table.

Mr. Salyer, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Esther Tuthill to convey certain real estate, which was read twice and referred to the committee on the judiciary.

Mr. Chamberlain, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers and other records in the offices of the State Treasurer, Auditor General and commissioner



of the state land office and the office of the agent of the state prison, since the year 1840, which was read twice and referred to the committee on state affairs.

On motion of Mr. Hawley,

The following resolution, offered February 14, was taken from the table, viz:

*Resolved*, That this House will receive no more business after the second Wednesday of March, and all standing committees shall make their reports before that time.

And the question, being on the motion of Mr. Hawley, to strike out all after the word "resolved" and insert "that after the first day of March next no more reports from standing or select committees be received by this House," the motion was amended by striking out the word "first" and inserting "twentieth."

The amendment was agreed to, and the resolution as amended was then adopted.

Mr. J. W. Turner moved that the memorial of Charles G. Hammond be laid on the table until after the motion of reference is disposed of.

Mr. Hawley moved that the motion be laid on the table, which motion was lost.

Mr. Pennoyer moved that the further consideration of the motion be indefinitely postponed, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Chittenden,  
O. C. Comstock,  
Curtis,  
David,  
Deming,  
Fox,  
Harger,

Mr. Hawley,  
Hobart,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNair,

Mr. Moran,  
Pennoyer,  
Smith,  
Stevens,  
Tuttle,  
Wilkinson,

20

## NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Coe,

Mr. Coman,  
H. H. Comstock,  
Flower,  
A. Gillet,  
Haight,  
Hammond,  
Hartsuff,  
Holmes,  
McNeil,  
Mulhollen,

Mr. Parkhurst,  
Salzer,  
St. Clair,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Waite,  
Wright,  
Speaker,

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The question then recurring on the original motion of Mr. J. W. Turner, it was decided in the affirmative.

On motion of Mr. Coe,

The bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, was taken from the table, and the question being on its passage, it was passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. A. Gillet,	Mr. Morton,
Andrews,	Haight,	Mulhollen,
Bowne,	Hammond,	O'Malley,
Buck,	Harger,	Salzer,
Campbell,	Hartsuff,	Smith,
Chittenden,	Hawley,	St. Clair,
Coe,	Hobart,	Stevens,
Coman,	Helmes,	Stoddard,
H. H. Comstock,	Kilborn,	Turrill,
O. C. Comstock,	Lovell,	Tuttle,
David,	Matthews,	Waite,
Fox,	Moran,	

35

## NAYS.

Mr. Bacon,	Mr. Deming,	Mr. Pennoyer,
Burk,	Flower,	G. B. Turner,
Cady,	Lockwood,	J. W. Turner,
Chamberlain,	McNair,	Wilkinson,
Curtis,	Parkhurst,	Speaker,

15

On motion of Mr. Stevens,

The House adjourned.

## AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. G. B. Turner,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of La Grange, in the county of Cass, and

The bill was ordered to be engrossed and read the third time, and

the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill to authorize Nancy Maria Sliker, and others, minors, to convey certain real estate, and

The bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Chamberlain,

The committee of the whole were discharged from the further consideration of the bill to provide for the sale of university lands in the county of Berrien.

On motion of Mr. Chamberlain,

The words "that part of the," were inserted before "said quarter section," in the eighth line of section one.

The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Hawley,

The committee of the whole were discharged from the further consideration of the joint resolution recommending a revision of the constitution of the state of Michigan, and

The joint resolution was ordered to be read the third time.

Mr. Hobart gave notice that on some future day he would ask leave to introduce a bill to discontinue a certain road in the township of Athens, in the county of Calhoun.

The following entitled bills were severally read the third time and passed, viz:

A bill to enlarge the powers and increase the number of officers in school district number four, in the township of Ypsilanti;

A bill to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a certain state road in said township;

A bill to vacate the plat of the village of Sharon, in the county of Washtenaw;

A bill to amend chapter one hundred and seventy-two of the revised statutes of 1846;

A bill to amend section eighteen of chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to regulate costs in certain cases;

A bill to organize certain townships, and for other purposes;

A bill to authorize a re-location of the northern wagon road between the villages of Flint and Corunna;

A bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of La Grange, in the county of Cass;

A bill to authorize Nancy Maria Sliker and others, minors, to convey certain real estate; and

A bill to provide for the sale of university lands in the county of Berrien.

The joint resolution recommending a revision of the constitution of the state of Michigan, was read the third time and passed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Fox,	Mr. Morton,
Andrews,	Flower,	Mulhollen,
Bacon,	A. Gillet,	O'Malley,
Bowne,	Haight,	Parkhurst,
Buck,	Hammond,	Pennoyer,
Burk,	Harger,	Salzer,
Cady,	Hartsuff,	Smith,
Campbell,	Hawley,	St. Clair,
Chamberlain,	Hobart,	Stevens,
Chittenden,	Holmes,	Stoddard,
Coe,	Ingersoll,	Tilden,
Coman,	Kilborn,	G. B. Turner,
H. H. Comstock,	Lockwood,	J. W. Turner,
O. C. Comstock,	Lovell,	Wilkinson,
Curtis,	Matthews,	Wright,
David,	McNair,	Speaker,
Deming,	McNeil,	

50

## NAYS.

0

The House then resolved itself into committee of the whole on the special order, Mr. J. W. Turner in the chair.

And after spending some time thereon, the committee rose, and by their chairman, reported back to the House without amendment,

A bill to enlarge the powers of the trustees of the Wesleyan seminary at Albion;

A bill appropriating certain internal improvement lands for the purpose of constructing certain roads and bridges in the county of Berrien;

A bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

A bill to amend section nineteen of chapter one hundred and fifty of the revised statutes of 1846:

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair;

A bill to authorize certain Indians to convey certain real estate in the county of Allegan;

A bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale;

A bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

A bill to amend chapter fifty eight of the revised statutes of 1846;

A bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien;

A bill authorizing the commissioner of the state land office to sell certain lots in the town of Lansing; and

A joint resolution proposing amendments to the constitution relative to biennial sessions of the legislature.

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the city of Detroit gas company;

A bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of range fourteen east, known as salt spring lands belonging to the state;

A bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county; and

A bill to authorize the perfecting the records of public highways, and for other purposes.

The amendment reported to the bill to incorporate the city of Detroit gas company was concurred in, and

On motion of Mr. Chittenden,

The bill was laid on the table.

The amendments reported to the following entitled bills were con-

bill to amend an act, approved March 19, 1838, vacating a portion of the village plat of Otsego, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company, which was read twice, ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Coe, from the committee on the judiciary, reported a bill to require the county treasurers to cancel and adjust certain sales of lands for taxes, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. H. H. Comstock, from the committee of conference on the part of the House, on the disagreement between the two Houses on the bill to incorporate the Siskowit mining company of Michigan, reported that the committee had agreed to recommend to the House to recede from their first amendment to the bill, and that the Senate concur in the fifth amendment thereto, which report was accepted and the committee discharged.

The House then receded from the first amendment of the bill.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 9, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to extend the corporate limits of the village of Kalamazoo, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

I am further instructed to respectfully inform you that the Senate have concurred in the amendments of the House to a bill relative to the costs of proceedings in criminal cases, and have ordered the same as amended to be enrolled.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The Senate bill to extend the corporate limits of the village of Kalamazoo, was read twice and referred to the committee on banks and incorporations.

Mr. Ingersoll moved a reconsideration of the vote by which the memorial of Charles G. Hammond was ordered to be printed, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Bowne,	Mr. A. Gillet,	Mr. Parkhurst,
Buck,	Haight,	Salyer,
Burk,	Hammond,	J. W. Turner,
Cady,	Holmes,	Turrill,
Chamberlain,	McNeil,	Waite,
Coe,	Mulhollen,	Speaker, 18

## NAYS.

Mr. Andrews,	Mr. Flower,	Mr. Moran,
Bacon,	Fox,	Morton,
Campbell,	Harger,	Pennoyer,
Chittenden,	Hartsuff,	Smith,
Coman,	Hawley,	Stevens,
H. H. Comstock,	Hobart,	Stoddard,
O. C. Comstock,	Kilborn,	G. B. Turner,
Curtis,	Lockwood,	Tuttle,
David,	Lovell,	Wilkinson, 29
Deming,	McNair,	

Mr. H. H. Comstock gave notice that he would on some future day ask leave to introduce a joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers and other records, in the offices of the state Treasurer and Auditor General, since the year 1842.

Mr. O'Malley, pursuant to previous notice, asked and obtained leave to introduce a bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakspeare, and for other purposes, which was read twice and referred to the committee on the state library.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill to legalize notices given in pursuance of stipulations in the sale of real estate, and other property; which was read twice, and referred to the committee on the judiciary.

Mr. Lovell, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act to amend an act to authorize the supervisors of the county of Kent to construct a

canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849; which was read twice and referred to the committee on internal improvement.

Mr. J. W. Turner moved that the action of the twenty-seventh rule be suspended; which motion was lost.

Mr. Lockwood gave notice that he would on some future day ask leave to introduce a bill to provide for laying out a state road from the village of Howell, in the county of Livingston, to the village of Pontiac, in the county of Oakland, and for the appropriation of certain non-resident highway taxes thereon.

On motion of Mr. H. H. Comstock,

The bill to organize certain townships, and for other purposes, was taken from the table.

On motion of Mr. Andrews,

The first section of the bill was amended by inserting the words "Pine Grove" in the blank in the eighth line.

The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. G. B. Turner moved that the memorial of Charles G. Hammond be taken from the table and referred to a proper standing committee of this House, and that the printing of said memorial be dispensed with.

Mr. Hawley moved to amend the motion by striking out all after the word "House,"

Pending which,

On motion of Mr. Fox,

The original motion was laid on the table.

Mr. Salyer, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Esther Tuthill to convey certain real estate, which was read twice and referred to the committee on the judiciary.

Mr. Chamberlain, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers and other records in the offices of the State Treasurer, Auditor General and commissioner



of the state land office and the office of the agent of the state prison, since the year 1840, which was read twice and referred to the committee on state affairs.

On motion of Mr. Hawley,

The following resolution, offered February 14, was taken from the table, viz:

*Resolved*, That this House will receive no more business after the second Wednesday of March, and all standing committees shall make their reports before that time.

And the question, being on the motion of Mr. Hawley, to strike out all after the word "resolved" and insert "that after the first day of March next no more reports from standing or select committees be received by this House," the motion was amended by striking out the word "first" and inserting "twentieth."

The amendment was agreed to, and the resolution as amended was then adopted.

Mr. J. W. Turner moved that the memorial of Charles G. Hammond be laid on the table until after the motion of reference is disposed of.

Mr. Hawley moved that the motion be laid on the table, which motion was lost.

Mr. Pennoyer moved that the further consideration of the motion be indefinitely postponed, which motion was decided in the negative, by the following vote:

YEAS.

Mr. Chittenden,  
O. C. Comstock,  
Curtis,  
David,  
Deming,  
Fox,  
Harger,

Mr. Hawley,  
Hobart,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNair,

Mr. Moran,  
Pennoyer,  
Smith,  
Stevens,  
Tuttle,  
Wilkinson,

20

NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Coe,

Mr. Coman,  
H. H. Comstock,  
Flower,  
A. Gillet,  
Haight,  
Hammond,  
Hartsuff,  
Holmes,  
McNeil,  
Mulhollen,

Mr. Parkhurst,  
Salzer,  
St. Clair,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Waite,  
Wright,  
Speaker,

29

The question then recurring on the original motion of Mr. J. W. Turner, it was decided in the affirmative.

On motion of Mr. Coe,

The bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, was taken from the table, and the question being on its passage, it was passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. A. Gillet,	Mr. Morton,
Andrews,	Haight,	Mulhollen,
Bowne,	Hammond,	O'Malley,
Buck,	Harger,	Salyer,
Campbell,	Hartsuff,	Smith,
Chittenden,	Hawley,	St. Clair,
Coe,	Hobart,	Stevens,
Coman,	Helmes,	Stoddard,
H. H. Comstock,	Kilborn,	Turrill,
O. C. Comstock,	Lovell,	Tuttle,
David,	Matthews,	Waite,
Fox,	Moran,	

35

## NAYS.

Mr. Bacon,	Mr. Deming,	Mr. Pennoyer,
Burk,	Flower,	G. B. Turner,
Cady,	Lockwood,	J. W. Turner,
Chamberlain,	McNair,	Wilkinson,
Curtis,	Parkhurst,	Speaker,

15

On motion of Mr. Stevens,

The House adjourned.

## AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. G. B. Turner,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of La Grange, in the county of Cass, and

The bill was ordered to be engrossed and read the third time, and

the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill to authorize Nancy Maria Sliker, and others, minors, to convey certain real estate, and

The bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Chamberlain,

The committee of the whole were discharged from the further consideration of the bill to provide for the sale of university lands in the county of Berrien.

On motion of Mr. Chamberlain,

The words "that part of the," were inserted before "said quarter section," in the eighth line of section one.

The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Hawley,

The committee of the whole were discharged from the further consideration of the joint resolution recommending a revision of the constitution of the state of Michigan, and

The joint resolution was ordered to be read the third time.

Mr. Hobart gave notice that on some future day he would ask leave to introduce a bill to discontinue a certain road in the township of Athens, in the county of Calhoun.

The following entitled bills were severally read the third time and passed, viz:

A bill to enlarge the powers and increase the number of officers in school district number four, in the township of Ypsilanti;

A bill to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a certain state road in said township;

A bill to vacate the plat of the village of Sharon, in the county of Washtenaw;

A bill to amend chapter one hundred and seventy-two of the revised statutes of 1846;

A bill to amend section eighteen of chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to regulate costs in certain cases;

A bill to organize certain townships, and for other purposes;

A bill to authorize a re-location of the northern wagon road between the villages of Flint and Corunna;

A bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of La Grange, in the county of Cass;

A bill to authorize Nancy Maria Sliker and others, minors, to convey certain real estate; and

A bill to provide for the sale of university lands in the county of Berrien.

The joint resolution recommending a revision of the constitution of the state of Michigan, was read the third time and passed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Fox,	Mr. Morton,
Andrews,	Flower,	Mulhollen,
Bacon,	A. Gillet,	O'Malley,
Bowne,	Haight,	Parkhurst,
Buck,	Hammond,	Pennoyer,
Burk,	Harger,	Salyer,
Cady,	Hartsuff,	Smith,
Campbell,	Hawley,	St. Clair,
Chamberlain,	Hobart,	Stevens,
Chittenden,	Holmes,	Stoddard,
Coe,	Ingersoll,	Tilden,
Coman,	Kilborn,	G. B. Turner,
H. H. Comstock,	Lockwood,	J. W. Turner,
O. C. Comstock,	Lovell,	Wilkinson,
Curtis,	Matthews,	Wright,
David,	McNair,	Speaker,
Deming,	McNeil,	

50

## NAYS.

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The House then resolved itself into committee of the whole on the special order, Mr. J. W. Turner in the chair.

And after spending some time thereon, the committee rose, and by their chairman, reported back to the House without amendment.

A bill to enlarge the powers of the trustees of the Wesleyan seminary at Albion;

A bill appropriating certain internal improvement lands for the purpose of constructing certain roads and bridges in the county of Berrien;

A bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

A bill to amend section nineteen of chapter one hundred and fifty of the revised statutes of 1846:

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair;

A bill to authorize certain Indians to convey certain real estate in the county of Allegan;

A bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale;

A bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

A bill to amend chapter fifty eight of the revised statutes of 1846;

A bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien;

A bill authorizing the commissioner of the state land office to sell certain lots in the town of Lansing; and

A joint resolution proposing amendments to the constitution relative to biennial sessions of the legislature.

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the city of Detroit gas company;

A bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of range fourteen east, known as salt spring lands belonging to the state;

A bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county; and

A bill to authorize the perfecting the records of public highways, and for other purposes.

The amendment reported to the bill to incorporate the city of Detroit gas company was concurred in, and

On motion of Mr. Chittenden,

The bill was laid on the table.

The amendments reported to the following entitled bills were con-

curring in, and the bills were severally ordered to be read a third time:

A bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of range fourteen east, known as salt spring lands belonging to the state; and

A bill for the improvement of a state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county.

The amendment reported to the bill to authorize the perfecting of the records of public highways, and for other purposes, was concurred in.

Mr. Hawley moved that all after the enacting clause be stricken out, which motion was lost, and

The bill was ordered to be engrossed and read the third time.

The bill to enlarge the powers of the trustees of the Wesleyan seminary at Albion, was,

On motion of Mr. Fox,

Laid on the table.

The bill appropriating certain internal improvement lands for the purpose of constructing certain roads and bridges in the county of Berrien, was taken up, and

On motion of Mr. Hawley,

Its further consideration was indefinitely postponed.

On motion of Mr. O. C. Comstock,

The House adjourned.

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*Saturday, March 10, 1849:*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Belding, Dayton, Davis, Earl, Ferguson, Giddings, M. S. Gillett, Moffatt and Mosher were absent on leave and Messrs. Chittenden, Tuttle and Waite were absent without leave.

Mr. Hawley asked and obtained leave of absence for Mr. Tuttle for ten days.

Mr. Salyer for Mr. Waite, for one week.

Mr. McNeil presented the remonstrance of twenty citizens of Shiawassee county against the vacation or removal of the county seat of said county; referred to the committee on the organization of townships and counties.

Mr. Matthews, from the majority of the committee on the organization of townships and counties, to whom was referred sundry petitions for, and remonstrances against, a vacation and removal of the county seat of Shiawassee county, submitted a written report thereon, which was accepted, and the committee discharged from the further consideration of the subject, and

On motion of Mr. McNeil,

The report was laid on the table and ordered to be printed.

Mr. Kilborn, from the committee on public lands, to whom was referred the Senate joint resolution authorizing the commissioner of the state land office to issue a certificate of purchase of certain school lands to Thomas B. Abell, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Smith, from the committee on agriculture and manufactures, reported a bill for the relief of the purchasers of certain lands in the township of Plainfield, which was read twice, ordered to be printed; referred to the committee of the whole, and placed on the general order.

Mr. Morton, from the committee on state affairs, reported a bill to change the name of the village of Groveland, in the county of Jackson, to that of Parma, which was read twice, and ordered to be engrossed for a third reading.

On motion of Mr. Morton,

The rule was suspended so as to enable the bill to be read the third time to-day, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. Campbell, from the committee on internal improvement, to whom was referred the bill to amend an act entitled an act to amend an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand Rapids, approved Feb-

ruary 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849, reported the same back without amendment and recommended its passage,

Which report was accepted and the committee discharged from the farther consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to require the supervisors of Berrien county to construct and maintain certain bridges in said county; and

A bill to incorporate the North-West mining company of Michigan.

Mr. Parkhurst, from the same committee, reported that the bill to authorize the perfecting of the records of public highways, and for other purposes, was correctly engrossed.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 9, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend section four of chapter eighty-eight of the revised statutes of one thousand eight hundred and forty-six;

Also a joint resolution relative to salt spring lands in the town of Saline.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 9, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a bill relative to state printing, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

Mr. Fox moved that the bill relative to state printing, and the Se-



nate amendments thereto, be laid on the table, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Buck,	Mr. Haight,	Mr. O'Malley,	
Coe,	Hawley,	Parkhurst,	
David,	Holmes,	J. W. Turner,	
Fox,	McNeil,	Turrill,	
A. Gillet,	Moran,	Wilkinson,	15

## NAYS.

Mr. Allen,	Mr. Flower,	Mr. Mulhollen,	
Andrews,	Hammond,	Pennoyer,	
Bacon,	Harger,	Salzer,	
Bowne,	Hartsuff,	Smith,	
Burk,	Hobart,	St. Clair,	
Cady,	Ingersoll,	Stevens,	
Campbell,	Kilborn,	Stoddard,	
Chamberlain,	Lockwood,	Tilden,	
Coman,	Lovell,	G. B. Turner,	
H. H. Comstock,	Matthews,	Wright,	
Curtis,	McNair,	Speaker,	
Deming,	Morton,		35

The first amendment of the Senate to the bill, which strikes out of the fourth line of section one the words "until otherwise ordered by the legislature," and inserts "until the first Monday of January next, which shall be in full for all printing to be done under contract with the state," was concurred in, by yeas and nays, as follows:

## YEAS.

Mr. Allen	Mr. Fox,	Mr. Morton,	
Andrews,	A. Gillet,	Mulhollen,	
Bacon,	Haight,	Parkhurst,	
Bowne,	Harger,	Pennoyer,	
Burk,	Hartsuff,	Salzer,	
Campbell,	Hatch,	Smith,	
Chamberlain,	Hawley,	St. Clair,	
Coe,	Ingersoll,	Stevens,	
Coman,	Kilborn,	Stoddard,	
H. H. Comstock,	Lockwood,	Tilden,	
Curtis,	Lovell,	G. B. Turner,	
David,	Matthews,	Wright,	
Deming,	McNair,	Speaker,	
Flower,	Moran,		41

## NAYS.

Mr. Buck,	Mr. McNeil,	Mr. J. W. Turner,	
Hammond,	O'Malley,	Wilkinson,	
Holmes,			7

The second amendment of the Senate, which strikes out the third

section of the bill and inserts the following, to stand as section six: "This act shall take effect and be in force from and after its passage, and all portions of any law contravening any of the provisions of this act, are hereby repealed," was concurred in.

The third amendment of the Senate inserts the following, to stand as section three:

"Sec. 3. There shall be elected at the general election, to be holden next November, and every two years thereafter, a state printer, who shall hold his office for the term of two years from and after the first Monday of January thereafter, and who shall give a bond in the penal sum of ten thousand dollars, with two or more sureties, to be approved by the Secretary of State, conditioned that such state printer will, in a good and workmanlike manner, do and perform all the printing which may hereafter be required for the state of Michigan, for and during the two years, and which said state printer, when so elected, shall do all and singular the duties imposed by law on the contractors now performing the same, at a rate not exceeding twenty-seven cents per thousand ems, and twenty-seven cents per token for press work: which amount shall be fixed and determined by the next legislature, and shall remain, in all respects, unaltered for the period of two years thereafter, *except* in case of failure of performance by such state printer, then it shall be competent for the Governor of the state to do and perform the same; and in case of death, the Governor shall appoint a state printer, who shall hold his office and perform all the duties of such printer until the next general election, after giving bonds as provided for in this section."

Mr. Coe moved to amend the amendment by striking out therefrom the following words, viz: "at a rate not exceeding twenty-seven cents per thousand ems and twenty-seven cents per token for press work; which amounts shall be fixed and determined by the next legislature and shall remain, in all respects, unaltered for the term of two years thereafter, except in case of failure of performance by such state printer, then it shall be competent for the Governor of the state to employ other persons to do and perform the same;" which motion was lost, by the following vote:

## YEAS.

Buck,  
Cady,  
Chittenden,

Mr. Haight,  
Hammond,  
Harger,

Mr. O'Malley,  
Salzer,  
Smith,

Coe,  
Curtis,  
David,  
Fox,  
Flower,  
A. Gillet,

Hawley,  
Hobart,  
Holmes,  
Lovell,  
McNeil,

St. Clair,  
Stevens,  
J. W. Turner,  
Turrill,  
Wilkinson,

26

NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Burk,  
Campbell,  
Chamberlain,  
Coman,  
H. H. Comstock,  
O. C. Comstock,

Mr. Deming,  
Hartsuff,  
Hatch,  
Ingersoll,  
Kilborn,  
Lockwood,  
Matthews,  
McNair,  
Moran,

Mr. Morton,  
Mulhollen,  
Parkhurst,  
Pennoyer,  
Stoddard,  
Tilden,  
G. B. Turner,  
Wright,  
Speaker,

26

The question then recurring on concurring in the third Senate amendment, it was concurred in, by yeas and nays, as follows:

YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Bowne,  
Burk,  
Chamberlain,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Deming,  
Flower,

Mr. Haight,  
Hartsuff,  
Hatch,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNair,  
Moran,

Mr. Morton,  
Mulhollen,  
Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
Stoddard,  
Tilden,  
G. B. Turner,  
Wright,

34

NAYS.

Mr. Buck,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
Curtis,  
David,

Mr. Fox,  
Hammond,  
Harger,  
Hawley,  
Hobart,  
Holmes,  
McNeil,

Mr. O'Malley,  
St. Clair,  
Stevens,  
J. W. Turner,  
Turrill,  
Wilkinson,  
Speaker,

21

The fourth amendment of the Senate, inserts the following to stand as section four:

"Sec. 4. The provisions of the revised statutes relative to general and special elections for the office of Governor and Lieutenant Governor, shall in all respects, be applicable to, and govern the proceedings relative to the election of state printer, and the returns of such election for state printer, shall be transmitted, and the result deter-

ained in the same same manner as those for Governor and Lieutenant Governor."

Which amendment was concurred in by the House.

The fifth amendment of the Senate inserts the following to stand as section five:

"Sec. 5. The Auditor General shall cause the statement of the land to be sold in the counties of Clinton and Ingham for taxes, in October eighteen hundred and forty-nine, to be published in the state paper, which statement shall be published in the same manner, and for the same time, and to the same effect as like statements are required by law to be published in other respects."

Which amendment was concurred in, by the following vote:

#### YEAS.

Mr. Andrews,	Mr. O. C. Comstock,	Mr. Matthews,
Bacon,	A. Gillet,	Mulhollen,
Bowne,	Hammond,	Pennoyer,
Burk,	Hartsuff,	Salzer,
Campbell,	Hobart,	Smith,
Chamberlain,	Ingersoll,	Tilden,
Coe,	Kilborn,	G. B. Turner,
H. H. Comstock,	Lockwood,	Wright,
Curtis,		

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#### NAYS.

Mr. Buck,	Mr. Hatch,	Mr. Stevens,
Cady,	Hawley,	Stoddard,
Coman,	Holmes,	J. W. Turner,
David,	McNair,	Turrill,
Deming,	McNeil,	Wilkinson,
Fox,	O'Malley,	Speaker,
Haight,	Parkhurst,	
Harger,	St. Clair,	

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The bill was then ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 10, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith a bill for the relief of the township of Waterloo, in the county of Jackson, and to respectfully inform you that the Senate have concurred therein; also

A bill to organize certain townships, and for other purposes, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked:

I am further instructed to respectfully inform you that the Senate have concurred in the report of the committee of conference on the part of the Senate, on the disagreement between the two Houses on the bill to incorporate the Siskoweit mining company of Michigan, and have non-concurred in the fifth amendment of the House thereto.

I am further instructed to respectfully inform you that Senators Thomson, Roof and Redfield have been appointed a committee of conference on the part of the Senate on the disagreement between the two Houses, on the bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals.

I am further instructed to respectfully inquire of the House what disposition has been made of the joint resolution of the Senate relative to the donation of a lot in the town of Lansing.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill for the relief of the township of Waterloo, in the county of Jackson, was ordered to be enrolled.

The bill to organize certain townships, and for other purposes, was,

On motion of Mr. Holmes,

Laid on the table.

Mr. G. B. Turner moved that the Clerk be directed to inform the Senate that in due time notice will be given that body, of the disposition the House have made of the joint resolution relative to the donation of a lot in the town of Lansing, and that the inquiry of the Senate in relation to such joint resolution be laid on the table; which motion prevailed.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 10, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to amend an act entitled an act to extend the time for the collection of taxes in the township of Byron, in the county of Shiawassee; and

A bill to authorize township boards to raise money in certain cases, to defray township expenses.

Respectfully, &c.,

W. L. BANCROFT, .

*Secretary of the Senate.*

The Senate bill to authorize township boards to raise money in certain cases, to defray township expenses, was read twice and referred to the committee on ways and means.

The Senate bill to amend an act entitled an act to extend the time for the collection of certain taxes in the township of Byron, in the county of Shiawassee, was read twice, when

Mr. Fox moved a suspension of the rules, which motion prevailed, and the bill was taken up for consideration.

On motion of Mr. Fox,

The bill was amended by striking out the word "Byron," in the fifth line of section one, and inserting "Burns," and the following words were added to the end of the section: "That section four of said act be amended by striking out the word "eight," and substituting in lieu thereof the word "four."

The bill was then ordered to be read a third time.

On motion of Mr. Hammond,

The vote ordering the bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county, to be read the third time, was reconsidered.

Mr. Hammond moved a reconsideration of the vote concurring in the amendment reported by the committee of the whole to the bill, which motion prevailed, and

The question recurring on concurring in the amendment, it was non-concurred in.

On motion of Mr. Hammond,

The bill was amended by striking out of section two the words "the Governor is hereby authorized to appoint two," and inserting "Jesse Hart, of Eaton, and John D. Alcott, of Calhoun, are hereby appointed;" and the words "and a half miles," were stricken out of the fifth and sixth lines of section one, and "mile," inserted.

The bill was then ordered to be read the third time.

On motion of Mr. G. B. Turner,

*Resolved*, That when this House adjourns it will adjourn to meet on Monday next, at nine o'clock A. M.

On motion of Mr. Kilborn,

The committee of the whole were discharged from the further consideration of the bill to provide for improving Grand river, in the township of Lansing, as a public highway.

Mr. Coe moved that the words "or county" be stricken out of the third line of section three, which motion prevailed.

On motion of Mr. Kilborn,

The words "his agent or attorney" were inserted after "party" in the fifth line of section three.

On motion of Mr. G. B. Turner,

All after the word "court," in the sixteenth line of section three was stricken out, and the words "the person in whose favor such award may be made may, if dissatisfied with said award, remove the cause before the supreme court, for their decision as in other cases "

Mr. McNair moved that the words "of the county" be stricken out of the eighth line of section three, and "within the circuit," inserted.

On motion of Mr. Coe,

All of section one after the word "locks" in the ninth line, was stricken out.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Kilborn,

The bill to provide for the removal of the state land office to the seat of government, together with the substitute therefor, was taken from the table, and

On motion of Mr. J. W. Turner,

The House resolved itself into a committee of the whole thereon, Mr. Chamberlain in the chair.

And after spending some time, the committee rose and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Wright,

The House adjourned.

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*Monday, March 12, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Belding, Dayton, Giddings, M. S. Gillett, Moffat, Mosher, Tuttle and Waite were absent on leave, and Messrs. Allen and G. B. Turner were absent without leave.

Mr. Bacon asked and obtained leave of absence for Mr. G. B. Turner, for the day.

Mr. Pennoyer for Mr. Allen, for the day.

Mr. Salzer presented the petition of J. D. Stevens and ten others, asking for the vacation of the village plat of the Village of the Lake, in the county of Washtenaw; referred to the committee on the judiciary.

Mr. Kilborn, from the committee on public lands, to whom was referred the Senate joint resolution relative to the donation of a lot in the town of Lansing, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill relative to state printing was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Parkhurst, from the same committee, reported as correctly engrossed, the bill to provide for improving Grand river, in the township of Lansing, as a public highway.

Mr. Coe, from the committee on the judiciary, to whom was recommitted the bill to define the jurisdiction of the county courts and for other purposes, reported the same back with sundry amendments, which report was accepted and the committee discharged from the further consideration of the subject, and

On motion of Mr. Chamberlain,

The bill was laid on the table and one thousand copies ordered to be printed.

Mr. Ferguson, from the same committee, reported a bill to authorize William Buntin, to convey certain real estate, and

A bill to define and regulate the period of labor;

Which were severally read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.



Mr. Ferguson, from the same committee, to whom was referred the bill to authorize the minor heirs of the late Jesse Tuttle, deceased, to convey certain real estate;

The Senate bill to authorize Linas Jacox to convey certain real estate; and

The bill to authorize the county treasurer of the county of Oakland to receive moneys for school and university lands;

Reported the same back and recommended that they be not passed; which report was accepted and the committee discharged from the further consideration of the subjects, and the bills were placed on the file of bills reported against.

Mr. Ferguson, from the same committee, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee on the judiciary, to whom was referred the memorial of Stephen L. Lowing, of Ottawa county, praying that the county court of said county may be authorized to grant divorces in certain cases, have had the same under consideration, and are of the opinion that the prayer of the petitioner ought not to be granted. They believe that sufficient facilities already exist in every part of the state, for obtaining divorces in proper cases, and they are opposed to any modification of the law by which the barriers that hedge round the domestic relations shall be weakened or impaired, and they know of no good reason for making the county of Ottawa an exception in this respect. The committee accordingly instruct me as their chairman, to report adverse to the prayer of the petitioner; and the committee ask to be discharged from the further consideration of the subject.

Mr. Ferguson, from the same committee, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee on the judiciary, to whom was referred the memorial of the yearly meeting of Friends, relative to the passage of a law making it a penal offence for our citizens or public officers to assist a slaveholder or his agent in reclaiming fugitive slaves, and also the resolution requiring the committee on the judiciary to report a bill in accordance with the prayer of the memorialists, if, in their opinion such law would not conflict with the constitution and laws of

the United States, have had the same under consideration, and are of the opinion that such a law would conflict with the constitution and laws of the United States, in letter and spirit, and the committee therefore ask to be discharged from the further consideration of the subject.

Mr. Ferguson, from the same committee, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz :

The committee on the judiciary, to whom was referred the petition of Loxina Wilson, asking authority to sell certain real estate, have had the same under consideration, and are of the opinion that it would not be proper or just towards the minor children mentioned in the petition, to authorize her to sell the estate which they inherited from their father; chapter seventy-eight of the revised statutes provides for the sale of the estates in proper cases, and upon proper application, and to its provisions the committee would respectfully refer all parties concerned; and as their chairman I am instructed to report adverse to the prayer of the petitioner and to ask that the committee may be discharged from the further consideration of the subject.

Mr. Ferguson, from the same committee, to whom was referred a bill to authorize Esther Tuthill to convey certain real estate, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, reported a bill to authorize the Auditor General and county treasurers to collect charges for certain services, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Flower, from the committee on the organization of townships and counties, reported a bill to establish the boundary line between the townships of Ash and Frenchtown, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Morton, from the committee on state affairs, submitted the following report, which was accepted, and the committee discharged from the further consideration of the subject, viz :

The committee on state affairs, to whom was referred the joint resolution in relation to the appointment of a committee to examine accounts and vouchers, and other records, in the offices of the State Treasurer, Auditor General and Commissioner of the land office, and the office of the Agent of the state prison, since the year 1840, and report their doings to the next legislature, have considered the same and instructed me to report that in their opinion there exists no good reason for such a committee, as is contemplated by the joint resolution. It is believed that their labors would result as did the labors of a former committee, in an expense to the state of several thousand dollars, without any facts warranting such unnecessary expenditure.

The committee feel authorized to say that all the state offices alluded to in the joint resolution, may be visited at any time by members of either branch of the legislature, who can have access to books and papers, and make such examination as will be satisfactory to them and to the public.

If the public interests require such a committee, it is believed that they may be appointed at once, make the examination called for, and report the result of their labors to the legislature at this session; and if such committee, after performing the duties assigned them, believe that the interests of the state require a more full and protracted examination than they have made, your committee would recommend the appointment of three commissioners to enter upon and discharge such duties.

The committee therefore report against the passage of the joint resolution referred to them and recommend a substitute therefor.

The joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers, and other records in the offices of the State Treasurer, Auditor General, and Commissioner of the state land office, and the office of the Agent of the state prison, since the year 1840, together with the substitute therefor reported by the committee on state affairs, were ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Morton, from the committee on state affairs, to whom were referred sundry petitions for the passage of a law to compel the inspection of flour, reported adverse to the prayer of the petitions, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Morton, from the same committee, reported a joint resolution in relation to the construction of a ship canal around the Falls of Niagara,

Which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 10, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to require the supervisors of Berrien county to construct and maintain certain bridges in said county.

Also, an act to incorporate the North-West mining company of Michigan.

EPAPHRO. RANSOM.

Mr. J. W. Turner presented a protest against the passage of the bill relative to state printing, which he read and moved to have laid on the table, to give opportunity for others to sign, which motion was agreed to.

Mr. Cady gave notice that on some future day he would ask leave to introduce a bill to incorporate a plank road company.

Mr. Pennoyer, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony and other immigrants now settling in the counties of Ottawa and Allegan, which was read twice and referred to the committee on internal improvement.

On motion of Mr. Salyer,

The committee of the whole were discharged from the further consideration of the bill to authorize Esther Tuthill to convey certain real estate, and it was ordered to be engrossed and read the third time.

Mr. Ingersoll moved a suspension of the rules to enable the bill to receive its third reading to-day, which motion prevailed, and the engrossment having been dispensed with, the bill was placed on the order of bills for a third reading.

On motion of Mr. Hawley,

*Resolved*, That the committee on engrossment and enrollment be instructed to correct the engrossed bill to entend for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, by inserting the word "not" in the second line of section seven, after the the word "are" agreeably to the journal of the House of the twenty-fourth day of February last.

On motion of Mr. Mulhollen,

The bill to repeal the sixteenth section of an act to amend the revised statutes of 1846, approved April 3, 1848, was taken from the table.

Mr. Tilden moved that the bill be committed to the committee on the judiciary, with instructions to add thereto the following to stand as section two:

All sums of money paid for licenses by tavern keepers, retailers or common victualers, in the county of Monroe, pursuant to the provisions of chapter forty-one of the revised statutes of 1846, or any other act, in relation to taverns or other licensed houses, shall be paid to the city or township treasurer, and be expended in the city or township where said licenses are granted, for defraying any proper charges and expenses arising in said city or township, and shall be subject to the order of the proper city council or township board for said purposes.

Which motion was decided in the negative, by the following vote:

YEAS.

Mr. Andrews,	Mr. Coman,	Mr. Matthews,	
Bowne,	Curtis,	Morton,	
Burk,	Fox,	O'Malley,	
Cady,	Flower,	Tilden,	
Chittenden,	Kilborn,	Wright,	
Coe,	Lockwood,	Speaker,	16

NAYS.

Mr. Bacon,	Mr. Hammond,	Mr. Mulhollen,	
Buck,	Harger,	Parkhurst,	
H. H. Comstock,	Hartsuff,	Salyer,	
David,	Hawley,	Smith,	
Davis,	Hobart,	St. Clair,	
Deming,	Holmes,	Stevens,	
Earl,	Lovell,	Stoddard,	
Ferguson,	McNair,	J. W. Turner,	
A. Gillet,	McNeil,	Turrill,	
Haight,	Moran,	Wilkinson,	30

On motion of Mr. Coe,

The bill was committed to the committee on state affairs, with instructions to amend the same so as to allow the city of Monroe to retain its license moneys, on condition that it supports its own poor.

Mr. Chittenden gave notice that on some future day he would ask leave to introduce a bill to authorize the mayor, recorder and aldermen of the city of Detroit to raise an amount of money by tax.

Mr. Davis gave notice that on some future day he would ask leave to introduce a bill to authorize Eunice James to convey certain real estate.

On motion of Mr. Chamberlain,

The committee of the whole were discharged from the further consideration of the joint resolution authorizing the commissioner of the state land office to issue a certificate of purchase of certain school lands to Thomas B. Abell.

Mr. Buck moved that all after the resolving clause be stricken out, Pending which,

On motion of Mr. Hawley,

The following proviso was added to the resolution, viz: "*Provided*, That the payments heretofore paid by the said Abell, or others, towards the purchase of said section, or interest thereon, shall not be considered or accounted any part of said four dollars per acre."

On motion of Mr. Chamberlain,

The words, "this joint resolution shall take effect and be in force from and after its passage," were added to the resolution.

The question then recurring on the motion to strike all out, it was decided in the negative, and

The joint resolution was ordered to be read the third time.

On motion of Mr. Ingersoll,

The bill to incorporate the city of Detroit gas company was taken from the table.

On motion of Mr. Ingersoll,

The fourth section was amended by striking out all after the word "legislature," in the twenty-third line, and inserting the following: "All the share-holders shall be jointly and severally liable for all debts and contracts of the said company, until forty per cent of the capital shall have been paid in, and also for all the debts of the company of every description, after the capital stock of the company shall have been exhausted."

On motion of Mr. Ingersoll,

The words "for any violation of this charter," were added to the eighth section.

Mr. Ingersoll moved to amend the bill by adding thereto the following to stand as section eight, which motion was lost, viz:

Sec. 8. The directors hereinbefore named, within two months after this act becomes a law, shall open a book of subscription to the capital stock of this incorporation, at some convenient place, in the city of Detroit, for three successive days, first giving public notice thereof; and shall also, within two months after the said book shall have been so closed, appoint an election at some suitable place in the city of Detroit, for seven directors, to be chosen by all the subscribing share holders; at which election each share holder shall be entitled to one vote in person or by proxy, on each share held by him or her. And such directors so chosen at such election shall constitute the board of directors until others are chosen. The notice for opening such books of subscription, and also the notice for such election, shall be respectively published each at its appropriate time, in one or more of the daily newspapers of the city of Detroit, for at least three successive weeks. And the directors hereinbefore named shall not exercise any other of the powers granted by this act, until the provisions of this section shall have been complied with.

Mr. Ingersoll moved to amend the bill by adding the following as section nine:

Sec. 9. The said company shall pay to the treasurer of the state of Michigan, an annual tax of half of one per centum on the amount of capital actually paid in upon the capital stock of the said company and on all moneys loaned by the said company; which tax shall be paid on the first day of January in each year, and shall be estimated upon the last preceding report of the said company, and for that purpose the president and secretary of the said company shall on the first day of December, or within fifteen days previous thereto, make under their hands a return to the Treasurer, verified by their oaths or affirmations, stating the amount which has actually been paid in on the capital stock of said company, and also the whole amount of money which at any time has been borrowed by said company; and said state tax shall be in lieu of all other taxes upon

the personal property of the said company, and in lieu of all state taxes upon the real estate of said company.

Mr. J. W. Turner moved to amend the amendments by striking out the words "half of" before "one per cent," which motion was lost, and

The question then recurring on the additional section it was rejected.

On motion of Mr. Salyer,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock, P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Ingersoll moved a call on the House, which was had, when it was found that Messrs. Andrews, Cady, Coe, Curtis, David, Fox, Flower, A. Gillet, Haight, Hammond, Hatch, Hawley, Hobert, Holmes, McNeil, Moran, O'Malley, Parkhurst and Wright were absent without leave.

On motion of Mr. G. B. Turner,

All further proceedings under the call were dispensed with.

The House resumed the consideration of the bill to incorporate the city of Detroit gas company, and

The bill was ordered to be read the third time.

On motion of Mr. Hartsuff.

*Resolved*, That the committee on the judiciary be instructed to report a bill so amending chapter ninety-three of the revised statutes as to permit judgments to be stayed by signing a memorandum on the docket.

Mr. J. W. Turner took from the table the protest this morning laid there by his request, and presented it to the House.

A question being raised,

The Speaker decided the paper to be a protest within the meaning of the constitution, and directed it to be entered on the journal of the House.

From this decision, Mr. H. H. Comstock appealed, and the question being, shall the decision of the chair stand as the judgment of the House? it was decided in the affirmative, by the following vote:



## YEAS.

Mr. Andrews,	Mr. Deming,	Mr. Lovell,
Bacon,	Earl,	McNair,
Buck,	Fox,	McNeil,
Cady,	Flower,	Mulhollen,
Campbell,	Harger,	O'Malley,
Chamberlain,	Hartsuff,	Parkhurst,
Chittenden,	Hatch,	Pennoyer,
Coe,	Hawley,	Smith,
Coman,	Hobart,	Stevens,
O. C. Comstock,	Holmes,	Stoddard,
Curtis,	Kilborn,	Tilden,
Davis,	Lockwood,	G. B. Turner,
David,		37

## NAYS.

Mr. Bowne,	Mr. A. Gillet,	Mr. Matthews,
Burk,	Hammond,	Salyer,
H. H. Comstock,	Ingersoll,	St. Clair,
		9

So the protest was ordered to be entered on the journal as follows:

## PROTEST.

The undersigned enter upon the journal of this House, their reasons against the passage of a bill entitled "an act relative to state printing."

This bill was, when introduced, in the form of a resolution, the main object of which was to raise the contract price for printing from seventeen cents per thousand ems for composition, and twenty-two cents per token for press work, to twenty-seven cents per thousand ems for the whole work, which must give to Munger & Pattison two thousand dollars, or upwards, as the undersigned believe, over and above the contract price. In fixing upon the amount by the printing done last year it would not be far from two thousand dollars. And notwithstanding but little of general importance was done last winter or can be this, still the amount of what might be termed special legislation has been excessive. It is probable now, that the printing bill will be larger than it was last year, which was about six thousand dollars. For the purpose of convenience, the additional amount to be paid out of the treasury by this bill we will suppose to be two thousand dollars which is a fair estimate, as we believe. The resolution further provided, that all acts and parts of acts contravening the provisions therein contained were thereby repealed, which would, if a resolution could repeal a law, abolish the contract system, so far,

at any rate, as Munger & Pattison were bound by their contract under it. When the friends of the measure were convinced that the resolution could not have an effect upon the act by which the system was established, or the acts amendatory thereto, the resolution was immediately changed into the bill that originally passed the House, and the whole contract system was then denounced and sought to be repealed. In 1843 this plan was adopted and has been perfected by subsequent acts, until it had become, as was supposed, a permanent system; and under it up to the present time, the state have had no trouble; neither has there been in any part of the state, as we believe, a disposition manifested to repeal the acts by which the system was established and perfected. On the removal of the capital to Lansing, the two presses now here have been established, both with a view to obtain the printing for the state, and the press failing in that, under the general law for the assessment and collection of taxes, [see revised statutes 1846, page one hundred and thirteen, section seventy-one,] had a right to the publication of the tax lists, as they are called, in this county and in the adjoining counties in case there were no printing presses in adjoining counties, as provided by the act above referred to.

Under the law regulating printing, the statute was complied with in regard to advertising for sealed proposals for the printing. The bids were sent in, when examined by the state officers, bids were found as low as one-fourth of a cent per thousand ems for composition and varying from that up to twenty cents or thereabouts. Some of these low bids were put in by the journeymen of Munger & Pattison. The persons with whom the contract is made, are required to give bail acceptable to the state officers. It was therefore safe to bid down to one-fourth of a cent per thousand ems and then refuse or neglect to give bail in case the bid was accepted. The intention on the part of Munger & Pattison to get the contract by having a bid lower than any other person, and then go into contract by giving security on the highest bid next below any one else, cannot be concealed. The contract that was made was in accordance with a sealed proposal made by a gentleman in Jackson county, it being the highest bid of all those made which could entitle Munger & Pattison to the contract. They obtained an assignment from the gentleman of Jackson county, and entered into the contract with the state.

There is no dispute but what the contract is a good one, legally speaking, neither is it pretended that there has been any mistake or omission on the part of the state officers, whereby the state was in any danger of sustaining loss—while the bail given for the faithful performance of the contract is conceded to be good. All this having been done, it had become a contract between the tax-payers of the state of Michigan, (executed by their agents,) with Munger and Pattison. If no bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be passed, as the constitution provides, see revised statutes, page eighteen, then we have assumed things beyond our control, setting entirely aside the justice or policy of the measure.

When this bill was before the House and its friends were urging its passage, on the ground that Munger & Pattison would lose money by the contract, the proprietors of the other press sent in a **PRINTED PROPOSAL**, offering to take the job for seventeen cents per thousand ems for composition, and twenty-three cents per token for press-work, which was read by the Clerk. This was not considered favorably; on the contrary, it was charged by some that the proprietors of that press had published some improper things at sundry times, and had been supported by the state too long already, &c., &c. A member of the House then offered a joint resolution to release Munger and Pattison from the contract if they wished to be released; which resolution could not be passed on the same day it was offered, unless by the suspension of a rule. The friends of the bill would not allow the resolution to be considered, but acted upon the bill and passed it. If there had been no contract in existence the undersigned cannot well conceive a right on our part, acting as agents or representatives of the people of this state, to give out of the treasury two thousand dollars of the hard earnings of its inhabitants, without a consideration. If the state are prepared in all cases to pay what may be claimed as loss or damages, by those contracting with us, we will then stand many chances to be imposed upon by false representation, besides putting it out of our power to make a trade for the interest of the state. Because, if the state lose, it will not be expected that the contractor will pay back to the state the profit arising under his contract. The undersigned believe they were under no obligation to consider in any view of the subject, the question as to what in point of fact, the

work is worth, nor do we pretend to know. If the other press would do the work for the same, or nearly the same, Munger and Pattison might have been released and another contract made, so that the state could have lost nothing, or nearly nothing. And if in the spirit of competition, the proprietors of both presses have bid below the fair value of the work, it is still more for the advantage of the state, and is a strong argument in favor of the system instead of being a reason why it should be abolished.

If Munger & Pattison have presumed on the legislature to make up to them a fair compensation, when procuring low bids, they should set it down to the account of their own folly and (aside from the contract which we never should have varied,) all they could have asked (and that as a favor) was a release from their obligations to the state, at a time when the state could at the moment procure the printing for seventeen cents per thousand ems for composition, and twenty-three cents per token for press-work.

This bill went to the Senate and there another provision was still added, (in which the House have concurred,) by which the tax list for this county and the county of Clinton was given to this same paper. When under the general act herein above referred to—the act by which with this exception alone, the balance of the counties in the state are to be governed—would have been done in the other paper; because if there is any paper published in the county where the lands are to be sold, that has been published six months, that paper is entitled to the list for publication. If there is no such paper in the county, then if in the adjoining county there is such paper, it is entitled to the tax list for publication. In case there is none in the county, or in the adjoining county, then the printing belongs to the state paper, and this is the only way the state paper could obtain it. Aside from this special provision the tax list of Ingham county would have belonged to the Free Press, and the tax list of Clinton county also, because Ingham is an adjoining county and has no press established. Here is another special act for the special benefit of our special favorites. If the clause on the first page of our constitution requires of us, as Representatives under oath, to see that “no man or set of men are entitled to exclusive or separate privileges,” it is becoming in us to inquire whether we have not in each of these provisions of the bill carelessly stepped upon the letter and spirit of this instrument.

When the state paper was given to Munger & Pattison, the main reason urged, and in our opinion the successful one, was the fact, that they had taken the printing embraced in the contract at a low rate. In the next place, we pay them all that it is claimed to be worth, by the friends of the bill—and then exclude the other press (which had been invited here as all others had, by the contract system, which opened all these things to a fair competition,) on the ground (as was publicly assigned by members on the floor) that the Free Press had heretofore had too powerful an influence with the legislature, is unjust. For if the state intended to exclude any class of editors from an equal chance, it should have so enacted before the expense of establishing a press had been incurred by those who were induced by the provisions of the law to make investments of the kind at this place. The provisions of the law, being the undertaking on the part of the state, as to the fact whether the Free Press has had too powerful an influence or not, the undersigned will not undertake to determine. But if they have at any time had sufficient influence over the legislature to obtain from the treasury at their hands two thousand dollars over and above their contract price for printing, and obtain in addition thereto the publication of tax lists for two counties by the passage of a special law for their benefit, the undersigned would then be constrained to believe that they were in the exercise of power dangerous in the extreme.

The election of state printer by the people has nothing to do necessarily with the provisions of this bill. If it had been considered as a proposition by itself it might or might not have obtained a favorable action by this House. It has been added as an apology for the objectionable features, when it must be admitted by all that it would have been much fairer to have considered it apart from the contract with Munger & Pattison. If it had been so considered the vote upon it would have been a fair expression of the legislature. As to the provision by which the legislature next year are authorized to make a contract with the printer, and also limited as to the amount of pay that they may allow—which is not to exceed twenty-seven cents per thousand ems, [notwithstanding much has been said, for effect, about these provisions;] still the next legislature do not, derive their power to act from us, and consequently the limitation of that power cannot be made a matter of debate. It is a foolish appendage.

notwithstanding it has had a powerful influence. If we have the power to regulate these things in this fashion, it would be well to provide that the contract made by the next legislature should not be altered by the one after it. It is also claimed that the laws of the session are to be published and distributed sooner by the provisions of this bill than by the former act.

By the law of 1846, [see session laws] this work is to be done in sixty days after the legislature adjourned. By the provisions of this act it is required to be done in fifty days, only ten days difference in point of time, while none of us expect that it will be possible for Munger & Pattison to have the work done within fifty days, and if they do within the sixty days it will be much beyond our expectation. In all these things, so far as the application of two thousand dollars is concerned, the character of Munger & Pattison ought not to suffer materially. It should rather be expected of men that they would civilly ask for two thousand dollars, if by asking, the money was to be immediately counted out. The fault, if any, is with those who have charge and control of what little money we have left in the treasury. And, at the hands of their representatives, the people of this state will require a settlement of accounts.

The undersigned do not approve of the style and spirit of many protests that have been entered upon our journals, and have endeavored, so far as our example is to be regarded, to give a history of facts, in a candid manner, believing it is due to ourselves, and but just toward those who have differed with us upon the floor of this House. It is due to the undersigned that our position, which has been a positive one, should be explained, and but just to those who have procured the passage of the bill, inasmuch as they have been misrepresented in many instances, and consequently their motive the more questioned. Lamenting the disagreement that has, and still does exist; lamenting the passage of this bill, regarding it as unconstitutional, unjust and exclusive in its operation; and lamenting the effect that it must have politically and morally, we do solemnly and in this public manner enter our *protest* upon the journal of this House.

J. W. TURNER,  
ORIN DAVID,  
E. HAWLEY, JR.,  
A. STEVENS,  
C. G. CADY,  
ISRAEL CURTIS,  
B. C. HATCH,

ROBT. W. DAVIS,  
WM. F. CHITTENDEN,  
D. S. WILKINSON,  
J. L. McNEIL,  
BENJ. F. FOX,  
ALFRED HOLMES,  
SEELY HARGER

Mr. Pennoyer offered the following concurrent resolution, which, under the rule, was laid on the table for at least one day, viz:

*Resolved*, That this House will (the Senate concurring) adjourn *sine die*, on Monday, the twenty-sixth day of March instant.

On motion of Mr. Pennoyer,

The motion made by Mr. G. B. Turner, and laid on the table on the ninth instant, "that the memorial of Charles G. Hammond be taken from the table and referred to a proper standing committee of the House, and that the printing of said memorial be dispensed with," was taken from the table.

Mr. Ingersoll moved to amend the motion by striking out the words "a proper standing committee of this House," and insert "the committee on the state prison, which amendment was not agreed to.

Mr. Hawley moved to amend the motion by striking out the words "and that the printing of said memorial be dispensed with," which motion prevailed by the following vote:

#### YEAS.

Mr. Allen,  
Andrews,  
Bowne,  
Campbell,  
Chittenden,  
Coman,  
David,  
Davis,  
Deming,

Mr. Fox,  
Hartsuff,  
Hatch,  
Hawley,  
Holmes,  
Lockwood,  
Lovell,  
McNair,

Mr. McNeil,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Stevens,  
Wilkinson,  
Wright,

25

#### NAYS.

Mr. Bacon,  
Buck,  
Burk,  
Chamberlain,  
Coe,  
H. H. Comstock,  
Curtis,

Mr. A. Gillet,  
Haight,  
Hammond,  
Ingersoll,  
Matthews,  
Salzer,  
Smith,

Mr. St. Clair,  
Stoddard,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Speaker,

21

The question then recurring on the motion as amended, it was rejected.

Mr. Hobart, pursuant to previous notice, asked and obtained leave to introduce a bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes, which was read twice and referred to the committee on roads and bridges.

Mr. Ingersoll sent up to the chair the following resolution:

*Resolved*, That the protest offered by Mr. J. W. Turner, to be en-

tered on the journal, contains statements which reflect on the character of the House, and which are not true.

The Speaker decided the resolution to be out of order.

Mr. Chamberlain appealed from this decision, and the question being, shall the decision of the chair stand as the judgment of the House? it was decided in the affirmative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Ferguson,	Mr. Matthews,
Buck,	Fox,	McNair,
Cady,	Flower,	McNeil,
Campbell,	A. Gillet,	Morton,
Chamberlain,	Haight,	Mulhollen,
Chittenden,	Harger,	O'Malley,
Coman,	Hartsuff,	Parkhurst,
O. C. Comstock,	Hatch,	Smith,
Curtis,	Hawley,	St. Clair,
David,	Holmes,	Stevens,
Davis,	Kilborn,	Stoddard,
Deming,	Lockwood,	Tilden,
Earl,	Lovell,	Wilkinson,
		39

## NAYS.

Mr. Andrews,	Mr. Burk,	Mr. Hammond,
Bowne,	H. H. Comstock,	Ingersoll,
		6

Mr. Bowne moved a reconsideration of the vote by which was rejected the motion of Mr. G. B. Turner to refer the memorial of Charles G. Hammond, to the proper standing committee.

Mr. Fox moved to lay the motion to reconsider on the table, which motion prevailed, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Flower,	Mr. McNair,
Cady,	A. Gillet,	McNeil,
Campbell,	Haight,	Morton,
Chittenden,	Harger,	O'Malley,
Curtis,	Hartsuff,	Pennoyer,
David,	Hatch,	Stevens,
Davis,	Hawley,	Stoddard,
Deming,	Holmes,	Wilkinson,
Fox,	Lovell,	
		26

## NAYS.

Mr. Allen,	Mr. H. H. Comstock,	Mr. Smith,
Bacon,	Hammond,	Tilden,
Bowne,	Ingersoll,	G. B. Turner,
Buck,	Lockwood,	J. W. Turner,
Burk,	Matthews,	Turrill,



Chamberlain,  
Coe,  
Coman,

Mulhollen,  
Parkhurst,

• Wright,  
Speaker,

22

The following entitled bills and joint resolution were severally read the third time and passed, as follows:

A bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven in town three north, of range fourteen east, known as salt spring lands belonging to the state;

A bill to authorize the perfecting of the records of public highways, and for other purposes;

A bill to change the name of the village of Groveland, in the county of Jackson, to that of Parma;

A bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county;

A bill to provide for improving Grand river, in the township of Lansing, as a public highway;

A bill to authorize Esther Tuthill to convey certain real estate; and

A joint resolution authorizing the commissioner of the state land office to issue a certificate of purchase of certain school lands to Thomas B. Abell.

The bill to amend an act entitled an act to extend the time for the collection of taxes in the township of Byron, in the county of Shiawassee, approved February 13, 1849, was read the third time and passed, and

On motion of Mr. Hawley,

The title was amended, by striking out "Byron" and inserting "Burns."

The bill to incorporate the city of Detroit gas company, was read the third time and passed by a two-thirds vote, as follows:

YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chittenden,  
Coe,

Mr. Fox,  
Flower,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hatch,  
Hawley,  
Hobart,

Mr. McNair,  
McNeil,  
Morton,  
Mulhollen,  
Parkhurst,  
Pennoyer,  
Salyer,  
Smith,  
St. Clair,

Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
David,  
Earl,

Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,

Stevens,  
Tilden,  
Turrill,  
J. W. Turner,  
Speaker, 44

# NAYS.

Mr. Deming,  
A. Gillet,

Mr. G. B. Turner, Mr. Wright,  
Wilkinson, 5

The House having arrived at the order of unfinished business, took up the following entitled bills, and they were severally ordered to be engrossed and read the third time, viz :

A bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

A bill to amend section nineteen of chapter one hundred and fifty of the revised statutes of 1846;

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair;

A bill to authorize certain Indians to convey lands in the county of Allegan;

A bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale;

A bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

A bill to amend chapter fifty eight of the revised statutes of 1846; and

A bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien.

The bill authorizing the commissioner of the state land office to sell certain lots in the town of Lansing, was ordered to be read the third time.

The joint resolution proposing amendments to the constitution relative to biennial sessions of the legislature, was taken up, and

On motion of Mr. Hawley,

Its further consideration was indefinitely postponed.

The House then resolved itself into a committee of the whole on the bill to provide for the removal of the state land office to the seat of government, and the substitute therefor, Mr. Chamberlain in the chair, and after some time spent thereon, the committee rose and by

their chairman reported the bill and substitute back with sundry amendments, in which the concurrence of the House was asked.

The amendments to the substitute were concurred in, and

On motion of Mr. G. B. Turner,

The bill and substitute were laid on the table,

On motion of Mr. Matthews,

The House adjourned.

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*Tuesday, March 13, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Belding, Dayton, Giddings, M. S. Gillett, Moffatt, Mosher, Tuttle and Waite were absent on leave, and Messrs. A. Gillet and J. W. Turner were absent without leave.

Mr. Moran asked and obtained leave of absence for Mr. J. W. Turner for two days.

Mr. Chittenden presented the claim of Samuel Mahon; referred to the committee on claims.

Mr. McNair presented the remonstrance of Willard Smith and one hundred and nine others, of Lenawee county, against the formation of a new county out of parts of Hillsdale and Lenawee; referred to the committee on the organization of townships and counties.

Mr. Coe presented the petition of M. A. Dougherty and twenty-nine others, for the enactment of a general prohibitory law relative to the sale of ardent spirits as a beverage; referred to the committee on state affairs.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill for the relief the township of Waterloo, in the county of Jackson, was correctly enrolled, and was this day presented to the Governor for his approval.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly engrossed, viz :

A bill to authorize Asquire W. Aldrich to build a dam across the Clinton river in the county of Macomb;

A bill to amend section nineteen of chapter one hundred and fifty of the revised statutes of 1846;

A bill to alter the town line dividing the township of St. Clair and China, in the county of St. Clair;

A bill to authorize certain Indians to convey lands in the county of Allegan;

A bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale;

A bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

A bill to amend chapter fifty-eight of the revised statutes of 1646; and

A bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien.

Mr. Campbell, from the committee on internal improvement, to whom was referred the bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony and other immigrants now settling in the counties of Ottawa and Allegan, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, reported a bill to vacate the plat of the Village of the Lake, in the county of Washtenaw, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the bill to legalize notices given in pursuance of stipulations in the sale of real estate and other property, reported the same back without amendment and recommended that it be not passed, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was placed on the file of bills reported against.

Mr. Ferguson, from the same committee, submitted the following report, which was read, accepted, and the committee discharged from the further consideration of the subject:

The committee on the judiciary to whom were referred the memorial of the grand jury of Wayne county; the memorial of Samuel

Weeks and ninety-nine other citizens of Detroit; the memorial of Joseph Chedsy and other citizens of Calhoun county; the petition of Elias Rockfellow and forty other citizens of Genesee, Oakland and Lapeer counties; the remonstrance of Franklin Goodell and sixty-four other citizens of Lenawee county; the remonstrance of Lucius Lyon and others; the remonstrance of W. R. Marsh and thirty-nine other citizens of Oakland county; the remonstrance of the yearly meeting of Friends, and the resolution offered in the House of Representatives on the subject of capital punishment, have had those several matters under consideration, and instruct me, as their chairman, to report that in the opinion of the committee it is not advisable to change the existing laws requiring the crime of murder to be punished by imprisonment for life in the state prison—that until experience shall prove such law to be insufficient, and public opinion, after a fair test, shall condemn it, it ought to be retained upon the statute book as being more in accordance with the spirit of humanity and less conflicting with the divine prerogative to continue or recall the life it gave, than laws requiring the infliction of capital punishment. The committee believe that no sufficient test has been furnished from the operation of the law to warrant its condemnation, or even an unfavorable conclusion as to its effects, and they therefore doubt the propriety of changing it. They are of the opinion that the interests of the commonwealth will be as well protected under the existing law, as if capital punishment were restored—that persons and property will be equally safe, and that punishment for the crime of murder will be far more certain. The committee would be unwilling, in this progressive age, to recommend a return to a custom having its rise in barbarism, and tainted, as the committee conceive, with the dark, malevolent spirit of the times in which it originated. The committee accordingly report adverse to the restoration of capital punishment, and ask to be discharged from the further consideration of the subject.

Mr. Kilborn, from the committee on public lands, to whom was referred the petition of Amasa D. Chapman and forty-seven other citizens of Oakland county, and of Frederick H. Kellicut and sixty-nine others, for the passage of a law authorizing the county treasurers to receive moneys for primary school lands, reported adverse to the prayer of the petition; which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the Senate bill to authorize township boards to raise money in certain cases, to defray township expenses, reported the same back without amendment and recommended its passage; which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee of conference on the part of the House, on the disagreement between the two Houses on the bill to amend chapter ninety-three of the revised statutes, relative to appeals, made a report which was concurred in by the House, and the committee was discharged from the further consideration of the subject.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 12, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, an act relative to state printing.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 12, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith, the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the Northwestern health insurance company, and

A bill to amend chapter one hundred and twenty-three of the revised statutes of 1846.

I am further instructed to return herewith a bill to incorporate the Isle Royal mining company, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked;

Also, a bill to amend chapter one hundred and twenty-three of the revised statutes of 1846, and to respectfully inform you that the Senate have non-concurred therein.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to incorporate the North-West health insurance company, was read twice and referred to the committee on banks and incorporations.

The Senate bill to amend chapter one hundred and twenty-three of the revised statutes of 1846, was read twice and referred to the committee on the judiciary.

The Senate amendments to the bill to incorporate the Isle Royal mining company, were concurred in by a two-thirds vote, and the bill as amended was ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 12, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a joint resolution relative to new business; and

A bill to authorize Joseph McNamee, of the county of Livingston, to convey certain real estate,

Which the Senate have passed, and in which the concurrence of the House is respectfully asked.

I am further instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz :

A bill to provide for the sale of university lands in the county of Berrien; and

A bill to authorize Nancy Maria Sliker and others, minors, to convey certain real estate.

I am further instructed to respectfully inform you that the Senate have concurred in the first eight amendments and have non-concurred in the ninth amendment of the House to a bill to authorize a relocation of the Northern wagon road between the villages of Flint and Corunna; which bill is herewith returned.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to provide for the sale of university lands in the county of Berrien; and

The bill to authorize Nancy Maria Sliker and others, minors, to convey certain real estate,

Were ordered to be enrolled.

The Senate bill to authorize Joseph McNamee to convey certain real estate, was read twice and referred to the committee on the judiciary.

The Senate joint resolution relative to new business was read twice, when

Mr. H. H. Comstock moved a suspension of the rules, which motion prevailed.

On motion of Mr. Ingersoll,

The resolution was amended by striking out "Wednesday, the fourteenth," and inserting "Monday the nineteenth."

The question then being on ordering the joint resolution to be read the third time, it was decided in the affirmative, by the following vote:

#### YEAS.

Mr. Andrews,	Mr. Ferguson,	Mr. Morton,
Bacon,	Fox,	Mulhollen,
Buck,	Flower,	Parkhurst,
Burk,	Haight,	Pennoyer,
Cady,	Hammond,	Salzer,
Campbell,	Harger,	Smith,
Chamberlain,	Hartsuff,	St. Clair,
Coe,	Hatch,	Stevens,
Coman,	Hawley,	Stoddard,
H. H. Comstock,	Hobart,	G. B. Turner,
O. C. Comstock,	Holmes,	J. W. Turner,
Curtis,	Kilborn,	Turrill,
David,	Matthews,	Wilkinson,
Davis,	McNair,	Wright,
Deming,	McNeil,	Speaker,
Earl,		

46

#### NAYS.

Mr. Chittenden,	Mr. Moran,	Mr. Tilden,
Ingersoll,		

4

The joint resolution was then read the third time and passed.

The bill to authorize a re-location of the northern wagon road between the villages of Flint and Corunna, was taken up, and

On motion of Mr. Turrill,

The House insisted on the ninth amendment thereto.

Mr. H. H. Comstock offered the following resolution :

*Resolved*, That no member shall be permitted to speak on any one question a longer time than five minutes, unless with the consent of a majority of the House, and then not to exceed ten minutes.



On motion of Mr. Chittenden,

The resolution was laid on the table.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize the mayor, recorder and aldermen of the city of Detroit to raise an amount of money by tax; which was read twice, and referred to the committee on ways and means.

Mr. Cady, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Ray and Almont plank road company; which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. J. W. Turner,

The Clerk was directed to make certain corrections in the protest in the journal of yesterday.

On motion of Mr. Chittenden,

The committee of the whole were discharged from the further consideration of the bill to provide for draining certain low lands in the vicinity of the city of Detroit, and the bill was taken up and ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. G. B. Turner,

*Resolved*, That the committee on state affairs be instructed to report back House bill number fifty-one, as printed without amendment, and also to report back the substitute for the several amendments thereto, as an independent bill.

Mr. Hammond offered the following resolution :

*Resolved*, That the State Treasurer be directed to inform this House, as soon as convenient, the exact amount of funds now on hand, so that this legislature may fix upon a day certain for an adjournment.

On motion of Mr. Chamberlain,

The resolution was laid on the table.

Mr. Parkhurst gave notice that on some future day he would ask leave to introduce a joint resolution relative to the distribution of the session laws, journals and documents of the legislature of 1849.

Mr. Ingersoll moved that the motion to reconsider the vote by which was rejected the motion of Mr. G. B. Turner to refer the memorial of Charles G. Hammond to the proper standing committee,

be taken from the table, which motion was lost, by the following vote :

## YEAS.

Mr. Allen,	Mr. Hammond,	Mr. Salyer,
Bacon,	Holmes,	Tilden,
Bowne,	Ingersoll,	G. B. Turner,
Buck,	Kilborn,	J. W. Turner,
Burk,	Lockwood,	Turrill,
Coe,	Mulhollen,	Wright,
Earl,	Parkhurst,	Speaker,
Haight,		

22

## NAYS.

Mr. Andrews,	Mr. Deming,	Mr. McNair,
Campbell,	Ferguson,	Moran,
Chamberlain,	Fox,	Morton,
Chittenden,	Flower,	Pennoyer,
Coman,	Harger,	Smith,
H. H. Comstock,	Hartsuff,	St. Clair,
Curtis,	Hatch,	Stevens,
David,	Hawley,	Stoddard,
Davis,	Lovell,	Wilkinson,

27

Mr. Ingersoll sent up to the chair a preamble and resolution, which was read, when

Mr. Chittenden moved that it be laid on the table, ordered printed, and that the Clerk be directed not to enter the same on the journal.

A division of the question being called for, it was first taken on laying on the table, and decided in the affirmative, by the following vote :

## YEAS.

Mr. Andrews,	Mr. Flower,	Mr. Mulhollen,
Cady,	Haight,	O'Malley,
Campbell,	Harger,	Pennoyer,
Chittenden,	Hartsuff,	Salyer,
Coe,	Hatch,	Stevens,
Coman,	Holmes,	Stoddard,
H. H. Comstock,	Ingersoll,	Tilden,
Curtis,	Kilborn,	G. B. Turner,
Davis,	Lovell,	J. W. Turner,
Deming,	McNair,	Wilkinson,
Ferguson,	McNeil,	Speaker,
Fox,	Morton,	

35

## NAYS.

Mr. Allen,	Mr. Chamberlain,	Mr. Moran,
Bacon,	David,	Parkhurst,
Burk,	Earl,	Smith,

9

The question was then taken on ordering the preamble and resolution to be printed; it was decided in the negative, and

The question then being on directing the Clerk not to enter the same on the journal, it was decided in the affirmative, by yeas and nays, as follows :

YEAS.

Mr. Andrews,	Mr. Harger,	Mr. Pennoyer,
Cady,	Hatch,	Smith,
Campbell,	Kilborn,	Stevens,
David,	Lovell,	G. B. Turner,
Deming,	McNair,	J. W. Turner,
Ferguson,	Moran,	Wilkinson,
Fox,	O'Malley,	Speaker,
Flower,		

22

NAYS.

Mr. Allen,	Mr. Coman,	Mr. Hartsuff,
Bacon,	H. H. Comstock,	Ingersoll,
Buck,	Curtis,	Mulhollen,
Burk,	Davis,	Parkhurst,
Chamberlain,	Earl,	Salver,
Chittenden,	Haight,	Tilden,
Coe,	Hammond,	

20

Mr. Ingersoll moved that he be excused from serving on any of the standing committees of this House, which motion prevailed, by the following vote:

YEAS.

Mr. Allen	Mr. Davis,	Mr. Lockwood,
Andrews,	Deming,	Lovell,
Bacon,	Earl,	McNair,
Bowne,	Ferguson,	Moran,
Buck,	Fox,	Mulhollen,
Burk,	Flower,	Pennoyer,
Cady,	Hammond,	Salver,
Campbell,	Harger,	Smith,
Chamberlain,	Hartsuff,	St. Clair,
Chittenden,	Hatch,	Stevens,
Coe,	Hawley,	Stoddard,
Coman,	Hobart,	Tilden,
Curtis,	Holmes,	J. W. Turner,
David,	Kilborn,	Wilkinson,

42

NAYS.

Mr. H. H. Comstock,	Mr. Matthews,	Wright,
Haight,	Morton,	

5

On motion of Mr. G. B. Turner,

The bill to provide for the removal of the state land office to the

seat of government, and the substitute therefor, were taken from the table.

On motion of Mr. G. B. Turner,

The substitute was amended by adding the following to section seven:

"The several county treasurers receiving moneys under the provisions of this act are required to give to the state a bond with good and sufficient sureties, to be approved by the county judge, board of supervisors or county auditors, of their respective counties, conditioned that the said moneys shall be paid over to the state treasurer and accounted for as directed in this act: said bonds shall be filed with the state treasurer within four months from the passage of this act."

On motion of Mr. Coe,

The following section was added to the substitute:

"Sec. 9. It shall be the duty of the commissioner of the state land office, on or before the first day of February in each year, to transmit to the county treasurer a statement of all university, salt spring and school lands within such county upon which any principal or interest is due or unpaid, the amount of principal due on each description, the amount of interest annually due thereon, with such directions and instructions as he may deem necessary to enable such treasurer fully to carry out the provisions of this act."

Mr. Ferguson moved to amend the substitute by striking out all after the enacting clause except the words "the office of recorder of the land office shall be and is hereby abolished," which motion was lost.

The substitute was then adopted, and the bill was ordered to be engrossed and read the third time.

On motion of Mr. Wright,

The House adjourned.

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AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Deming moved a reconsideration of the vote by which the bill to repeal the sixteenth section of an act to amend the revised state

utes of 1846, approved April 3, 1848, was committed to the committee on state affairs, with instructions to amend the same so as to allow the city of Monroe to retain its license moneys, on condition that it supports its own poor, which motion prevailed, and

The question recurring on the motion to commit the bill with the instructions, it was lost.

Mr. Hawley moved a reconsideration of the vote by which the House refused to commit the bill to the committee on the judiciary, with instructions to add thereto the following to stand as section two:

All sums of money paid for licenses by tavern keepers, retailers or common victualers in the county of Monroe, pursuant to the provisions of chapter forty-one of the revised statutes of 1846; or any other act in relation to taverns or other licensed houses, shall be paid to the city or township treasurer, and be expended in the city or township where said licenses are granted, for defraying any proper charges and expenses arising in said city or township, and shall be subject to the order of the proper city council or township board for said purposes.

Which motion was lost.

The question then being on the passage of the bill, it was passed.  
On motion of Mr. Lockwood,

The committee of the whole were discharged from the further consideration of the joint resolution relative to the pay of the late Herman C. Noble, and the joint resolution was ordered to be engrossed and read a third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. McNair,

*Resolved*, That two thousand copies of the report of the committee of this House on the revision of the constitution be printed for the use of the members.

Mr. Hartsuff, pursuant to previous notice, asked and obtained leave to introduce a bill authorizing township clerks to subscribe for certain newspapers, and for other purposes, which was read twice, when

Mr. Hawley moved that its further consideration be indefinitely postponed, which motion was lost, and the bill was referred to the committee on state affairs.

Mr. Davis, pursuant to previous notice, asked and obtained leave

to introduce a bill to authorize Eunice James, widow of Solomon James, to sell certain real estate, which was read twice and referred to the committee on the judiciary.

The following entitled bills and joint resolution were severally read the third time and passed, viz :

A bill to provide for draining certain low lands in the vicinity of Detroit;

A bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

A bill to amend section nineteen of chapter one hundred and fifty of the revised statutes of 1846;

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair;

A bill to authorize certain Indians to convey lands in the county of Allegan;

A bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale;

A bill to amend chapter fifty eight of the revised statutes of 1846;

A bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien;

A bill authorizing the commissioner of the state land office to sell certain lots in the town of Lansing; and

A joint resolution relative to the pay of the late Herman C. Noble.

The bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham, was read the third time, and

On motion of Mr. Hammond,

Recommitted to the committee on roads and bridges, with general instructions.

Mr. Bowne, by unanimous consent, moved to take from the table the bill to organize certain townships, and for other purposes, which motion prevailed.

The Senate amendments to the bill were severally concurred in, and it was ordered to be enrolled as amended.

The House then resolved itself into a committee of the whole on the general order, Mr. Hawley in the chair, and after spending some time thereon, the committee rose and reported back to the House without amendment,

A bill to exempt certain property from taxation;

A bill to amend sections thirty-one and fifty-two of chapter twenty of the revised statutes of 1846;

A bill to amend an act entitled an act to incorporate the Kalamazoo and Three Rivers plank road company;

A bill to amend chapter one hundred and six of title twenty-two of the revised statutes;

A bill appropriating certain highway taxes for the improvement of a road leading from Paw Paw to Breedsville, by the way of Lawrence, in the county of Van Buren;

A bill to change the name of Augustus Kendricks;

A bill relative to elections;

A bill to provide for the payment of officers attending on the courts of chancery;

A bill to incorporate the Lapeer and Port Huron plank road company;

A bill relative to the Kalamazoo and Black Lake plank road company;

A bill relative to the Flint and Fentonville plank road company;

A bill relative to the Genesee county plank road company;

A bill relative to the Owasso and Bad river plank road company;

A bill relative to the Corunna and Saginaw plank road company;

A bill to authorize the Detroit Young Men's society to contract a certain loan;

A joint resolution relative to furnishing legislative documents to township libraries;

Joint resolution instructing our senators and requesting our representatives in Congress to use their influence in favor of a reduction of postage; and

Preamble and joint resolution relative to the construction of a road from Saginaw to Michilimackinac and the Saut Ste Marie;

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the Battle Creek and Dry Prairie plank road company;

A bill to incorporate the Tecumseh and Dundee plank road company; and

A bill to amend an act entitled an act to amend the revised statutes

of 1846, concerning the assessment and collection of taxes, approved March 17, 1847.

The amendments to the three last named bills were concurred in, and they were severally ordered to be engrossed and read the third time.

The following entitled bills were taken up and severally ordered to be engrossed and read the third time, viz:

A bill appropriating certain highway taxes for the improvement of a road leading from Paw Paw to Breedsville, by the way of Lawrence, in the county of Van Buren;

A bill to change the name of Augustus Kendricks;

A bill relative to elections; and

A bill to provide for the payment of officers attending on the courts of chancery.

The following entitled bills and joint resolutions were taken up and severally ordered to be read the third time, viz:

A bill to amend an act entitled an act to incorporate the Kalamazoo and Three rivers plank road company;

A bill to amend chapter one hundred and six of title twenty-two of the revised statutes;

A bill to incorporate the Lapeer and Port Huron plank road company;

A bill relative to the Kalamazoo and Black Lake plank road company;

A bill relative to the Flint and Fentonville plank road company;

A bill relative to the Genesee county plank road company;

A bill relative to the Owasso and Bad river plank road company;

A bill relative to the Corunna and Saginaw plank road company;

A bill to authorize the Detroit Young Men's society to contract a certain loan;

Joint resolution instructing our Senators and requesting our Representatives in Congress, to use their influence in favor of a reduction of postage; and

A preamble and joint resolution relative to the construction of a road from Saginaw to Michilimackinac and the Saut Ste Marie.

The joint resolution relative to furnishing legislative documents to township libraries was taken up, and

On motion of Mr. Parkhurst,



Amended by adding to the end thereof the words "this joint resolution shall take effect and be in force from and after its passage."

Mr. Coe moved to amend the joint resolution by inserting the words "except the House journal of eighteen hundred and forty-nine," after "documents," in the third line, which amendment did not prevail.

Mr. G. B. Turner moved that the further consideration of the joint resolution be indefinitely postponed, which motion was lost, and it was ordered to be engrossed and read the third time.

The bill to exempt certain property from taxation was taken up, when

Mr. Chittenden moved that all after the enacting clause be stricken out, which motion was lost, and

The bill was ordered to be read the third time.

The bill to amend sections thirty-one and fifty-two of chapter twenty of the revised statutes of 1846, was taken up, and

On motion of Mr. Chamberlain,

All after the enacting clause was stricken out, and the further consideration of the bill was indefinitely postponed.

On motion of Mr. Stevens,

The House adjourned.

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*Wednesday, March 14, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker,

Prayer by the Chaplain,

The roll was called, and Messrs. Dayton, Giddings, M. S. Gillett, Mosher, J. W. Turner, Tuttle and Waite were absent on leave.

Mr. Campbell presented the remonstrance of John Monahan, and thirty-nine others, of the township of Green Oak, Livingston county, against the passage of any law authorizing John McNamee, minor, to convey real estate; referred to the committee on the judiciary.

Mr. Chamberlain presented the petition of citizens of Berrien county, for the removal of the county seat from Berrien springs, to Niles, in said county; referred to the committee on the organization of townships and counties.

Mr. McNair presented the remonstrance of D. C. Jackson

and seventy other citizens of Lenawee county, and of Danforth Kies and sixty-five others, against the formation of a new county out of parts of Hillsdale and Lenawee counties; referred to the committee on the organization of townships and counties.

Mr. St. Clair presented the petition of L. M. Mason and seventy-five other citizens of St. Clair county, praying for a repeal of the present county court system; referred to the committee on the judiciary.

Mr. Tilden presented the petition of W. W. Clark, for the allowance of a certain claim; referred to the committee on claims.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the Senate bill to amend chapter one hundred and twenty-three of the revised statutes of 1846, reported the same back with an amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Davis, from the committee on roads and bridges, to whom was referred the bill to discontinue a certain road in the township of Athens, in Calhoun county, and for other purposes, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Davis, from the same committee, to whom was recommitted the bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham, reported the same back with an amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole, and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the bill to authorize the mayor, recorder and aldermen of the city of Detroit to raise an amount of money by tax, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be

printed, referred to the committee of the whole and placed on the general order.

Mr. O'Malley, from the committee on the state library, to whom was referred the bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakspeare, and for other purposes, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to amend an act entitled an act to incorporate the city of Monroe, and certain act amendatory thereto, which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. J. W. Turner,

The rule was suspended so that the bill might receive its third reading this day, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. J. W. Turner, from the same committee, reported a bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent, which was read twice, ordered to be printed and referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to organize certain townships, and for other purposes; and

A bill to incorporate the Isle Royal mining company;

Mr. Parkhurst, from the same committee, reported that the following entitled bills and joint resolution were correctly engrossed, viz:

A bill relative to elections;

A bill to provide for the payment of officers attending on courts of chancery;

A bill to change the name of Augustus Kendricks;

A bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847;

A bill to incorporate the Battle Creek and Dry Prairie plank road company;

A bill to provide for the removal of the state land office to the seat of government;

A bill appropriating certain highway taxes for the improvement of a road leading from Paw Paw to Breedsville, by the way of Lawrence, in the county of Van Buren;

A bill to incorporate the Tecumseh and Dundee plank road company; and

A joint resolution relative to furnishing legislative documents to township libraries.

Mr. Morton, from the committee on state affairs, to whom was referred the bill taxing bachelors for the relief of indigent widows and orphans, reported the same back with amendments, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole, and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 13, 1849.]

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act for the relief of the township of Waterloo, in the county of Jackson.

EPAPHRO. RANSOM.

On motion of Mr. Chamberlain,

The remonstrance of nine hundred and twenty-three voters of the county of Berrien, against the removal of the county seat of said county, and the resolutions of the board of supervisors of said county relative to said removal, were taken from the table and referred to the committee on the organization of townships and counties.

Mr. Ingersoll offered the following preamble and resolutions:

*Whereas*, A memorial from Charles G. Hammond was presented to this House on the 9th inst., which, by his request, was ordered to be printed:

*And whereas*, It is deemed that said memorial contains improper reflections upon the official acts of one of the members of this House,

and upon the select committee to whom was referred a proper legislative duty, as appears by the following paragraph:

"And your memorialist further represents that he is fully assured that the chairman of said special committee has wholly prejudiced and condemned the accused, and as your memorialist believes has pursued him with sheer malice for near three years, for the discharge of an official duty by the undersigned, and thus your memorialist was deprived of the benefit of a fair tribunal, and this may account for the fact before recited that the report was wholly *ex parte*."

Therefore, be it

*Resolved*, That in justice to said select committee, and to the chairman thereof, who deem their integrity in this matter as having been assailed and their official action maligned, we do condemn so much of said memorial as has been recited in the foregoing preamble as uncourteous, and precluding the further consideration of said document by this House.

*Resolved further*, That this House having by a large majority adopted a "joint resolution instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury," they cannot therefore with proper justice or respect to themselves, grant the prayer of said memorialist until the above mentioned sum shall have been refunded to the treasury.

*Resolved further*, That the said Charles G. Hammond have leave to withdraw his memorial.

Mr. H. H. Comstock moved that the preamble and resolution be laid on the table, which motion was decided in the affirmative, by the following vote:

## YEAS.

Mr. Andrews,  
Belding,  
Bowne,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
Curtis,  
David,

Mr. Davis,  
Ferguson,  
Fox,  
Flower,  
Harger,  
Hatch,  
Hawley,  
Lovell,  
• McNair,

Mr. Morton,  
O'Malley,  
Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
J. W. Turner,  
Wilkinson,  
Speaker, 27

## NAYS.

Mr. Allen,  
Bacon,

Mr. Haight,  
Hammond,

Mr. Moran,  
Mulhollen,

Buck,	Hartsuff,	Parkhurst,
Burk,	Holmes,	Salyer,
Chamberlain,	Ingersoll,	Tilden,
Coe,	Kilborn,	G. B. Turner,
Earl,	Matthews,	Turrill,
A. Gillet,	Moffatt,	Wright,
		24

Mr. Earl gave notice that he would on some future day ask leave to introduce a bill relative to the compensation of township officers.

On motion of Mr. Harger,

*Resolved*, That no member shall speak more than ten minutes on any question, without the consent of two-thirds of the members present.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a joint resolution relative to the distribution of the session laws, journals and documents of the legislature for the year 1849, which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. Parkhurst,

The rules were suspended, so as to enable the joint resolution to be read the third time to-day, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Ingersoll,

The preamble and resolutions offered yesterday by him, were taken from the table and referred to the committee on the judiciary.

Mr. Chamberlain gave notice that on some future day he would ask leave to introduce a bill to incorporate a plank road company in the county of Berrien.

On motion of Mr. Stevens,

The bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, was taken from the table.

On motion of Mr. Hawley,

The words "according to the provisions of the general plank road law," were stricken out of the first and second sections.

The bill was then ordered to be read the third time.

On motion of Mr. Deming,

The committee of the whole were discharged from the further consideration of the bill for the encouragement of agriculture, manufactures and the mechanic arts.

Mr. Mulhollen moved that the sixth line of section one be amended by striking out the words "one mill," which motion was lost, and

The bill was order to be read the third time.

On motion of Mr. Chittenden,

The bill to incorporate the grand lodge of free and accepted masons of the state of Michigan, was taken from the table, and

It was ordered to be read a third time.

Mr. Kilborn gave notice that on some future day he should ask leave to introduce a bill authorizing townships, in their corporate capacity, to subscribe and hold stock in plank road companies.

Mr. O. C. Comstock moved that the joint resolution relative to the claim of James Parshall be taken from the file of bills reported against, which motion prevailed by a two-third vote.

On motion of Mr. Fox,

The words "that the state is justly liable therefor," were inserted in the sixth line of the joint resolution.

The question then being on ordering the joint resolution to be read the third time, it was decided in the negative, by the following vote:

YEAS.

Mr. Belding,	Mr. Curtis,	Mr. Hawley,
Buck,	David,	Holmes,
Campbell,	Earl,	Kilborn,
Chittenden,	Flower,	Lovell,
Coe,	A. Gillet,	Morton,
Coman,	Hammond,	Stevens,
O. C. Comstock,	Hartsuff,	Stoddard,
Speaker,		

22

NAYS.

Mr. Allen,	Mr. Haight,	Mr. Parkhurst,
Bacon,	Hatch,	Pennoyer,
Bowne,	Hobart,	Smith,
Burk,	Matthews,	St. Clair,
Chamberlain,	McNair,	Tilden,
H. H. Comstock,	McNeil,	Turrill,
Deming,	Moffatt,	Wilkinson,
Fox,	Mulhollen,	

23

The following entitled bills and joint resolutions were severally read the third time and passed, viz:

A bill to authorize the Detroit Young Men's society to contract a certain loan;

A bill to amend chapter one hundred and six of title twenty-two of the revised statutes;

A bill to exempt certain property from taxation;

A bill to change the name of Augustus Kendricks;

A bill appropriating certain highway taxes for the improvement of a road leading from Paw Paw to Breedsville, by the way of Lawrence, in the county of Van Buren;

A bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847;

A bill to provide for the payment of officers attending on courts of chancery;

A bill relative to elections;

A bill for the encouragement of agriculture, manufactures and the mechanic arts;

A bill to provide for the removal of the state land office to the seat of government;

A joint resolution relative to the distribution of the session laws, journals and documents of the legislature of 1849;

Joint resolutions instructing our Senators and Representatives in Congress to use their influence in favor of a reduction of postage; and

Preamble and joint resolutions relative to the construction of a road from Saginaw to Michilimackinac and the Saut Ste Marie.

The joint resolution relative to furnishing legislative documents to township libraries, was read the third time and passed, by the following vote:

#### YEAS.

Mr. Allen,  
Andrews,  
Bowne,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
O. C. Comstock,  
Curtis,  
Earl,

Mr. Ferguson,  
Flower,  
Haight,  
Hammond,  
Hartsuff,  
Hobart,  
Ingersoll,  
Lovell,  
Matthews,  
McNair,

Mr. Moffatt,  
Morton,  
Mulhollen,  
Parkhurst,  
Pennoyer,  
Salyer,  
Smith,  
Stevens,  
Tilden,  
Speaker, 31

#### NAYS.

Mr. Bacon,  
Belding,  
Burk,

Mr. Deming,  
Fox,  
Hawley,

Mr. O'Malley,  
St. Clair,  
Stoddard,



Coman,	Holmes,	Turrill,	
H. H. Comstock,	McNeil,	Wilkinson,	15

The following entitled bills were severally read the third time and each passed by a two thirds vote, viz:

A bill to incorporate the Lapeer and Port Huron plank road company;

A bill to amend an act entitled an act to incorporate the Kalamazoo and Three Rivers plank road company;

A bill relative to the Kalamazoo and Black Lake plank road company;

A bill relative to the Flint and Fentonville plank road company;

A bill relative to the Genesee county plank road company;

A bill relative to the Owasso and Bad River plank road company;

A bill relative to the Corunna and Saginaw plank road company;

A bill to incorporate the Battle Creek and Dry Prairie plank road company; and

A bill to incorporate the Tecumseh and Dundee plank road company.

The bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, was read a third time and passed by a two-thirds vote, as follows:

YEAS.

Mr. Allen,	Mr. Deming,	Mr. Matthews,	
Andrews,	Earl,	McNair,	
Bacon,	Ferguson,	McNeil,	
Belding,	Flower,	Moffatt,	
Bowne,	A. Gillet,	Morton,	
Buck,	Haight,	Mulhollen,	
Cady,	Hammond,	O'Malley,	
Campbell,	Harger,	Parkhurst,	
Chittenden,	Hatch,	Salzer,	
Coe,	Hawley,	Smith,	
Coman,	Hobart,	St. Clair,	
H. H. Comstock,	Holmes,	Stevens,	
O. C. Comstock,	Kilborn,	Stoddard,	
Curtis,	Lockwood,	Tilden,	
David,	Lovell,	Speaker,	45

NAYS.

Mr. Fox,	Mr. G. B. Turner,	Mr. Wilkinson,	4
Pennoyer,			

The bill to amend an act entitled an act to incorporate the city of

Monree, and certain acts amendatory thereto, was read the third time, and

On motion of Mr. Morton,

Committed to the committee on the judiciary with general instructions.

The bill to incorporate the grand lodge of free and accepted masons of the state of Michigan, was read the third time, and the question being on its passage, it was decided in the negative, by the following vote, two-thirds not voting in the affirmative :

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. Matthews,
Bacon,	Earl,	McNair,
Belding,	Fox,	Moffatt,
Cady,	Flower,	O'Malley,
Campbell,	Harger,	Parkhurst,
Chamberlain,	Hartsuff,	Pennoyer,
Chittenden,	Hatch,	Smith,
O. C. Comstock,	Hawley,	Stoddard,
Curtis,	Ingersoll,	Tilden,
David,	Kilborn,	Turrill,
Davis,		

31

## NAYS.

Mr. Andrews,	Mr. Haight,	Mr. Salyer,
Buck,	Hammond,	Stevens,
Burk,	Hobart,	G. B. Turner,
Coe,	Holmes,	J. W. Turner,
Coman,	Lockwood,	Wilkinson,
Ferguson,	McNeil,	Speaker,
A. Gillet,	Mulhollen,	

20

Mr. Morton moved a reconsideration of the last vote.

Mr. A. Gillet moved that the motion to reconsider be laid on the table, and

The question then recurring on the motion to reconsider, it was decided in the affirmative, by yeas and nays, as follows :

## YEAS.

Mr. Allen,	Mr. Davis,	Mr. Matthews,
Bacon,	Deming,	McNair,
Belding,	Earl,	McNeil,
Cady,	Fox,	Morton,
Campbell,	Flower,	O'Malley,
Chamberlain,	Hartsuff,	Parkhurst,
Chittenden,	Hatch,	Pennoyer,
Coe,	Hawley,	Smith,
O. C. Comstock,	Ingersoll,	Stoddard,

Curtis, David,	Kilborn, Lovell,	Tilden, Speaker,	33
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NAYS.

Mr. Andrews, Buck, Burk, Coman, H. H. Comstock, Ferguson, A. Gillet,	Mr. Haight, Hammond, Harger, Hobart, Holmes, Lockwood, Moffatt,	Mr. Mulhollen, Salyer, St. Clair, G. B. Turner, J. W. Turner, Turrill, Wilkinson,	21
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'On motion of Mr. Stevens,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Earl moved a call of the House, which was not ordered.

The bill to incorporate the grand lodge of free and accepted masons of the state of Michigan, was taken up, and the question being on its passage, it was not passed, two-thirds not voting in the affirmative, as follows :

YEAS.

Mr. Allen, Bacon, Belding, Bowme, Cady, Campbell, Chamberlain, Chittenden, O. C. Comstock, Curtis, David,	Mr. Davis, Deming, Earl, Fox, Flower, Harger, Hartsuff, Hatch, Hawley, Ingersoll,	Mr. Kilborn, Matthews, McNair, Moffatt, Parkhurst, Pennoyer, Smith, Stoddard, Tilden, Wright,	31
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NAYS.

Mr. Andrews, Burk, Coe, H. H. Comstock, Ferguson, A. Gillet, Haight,	Mr. Hammond, Hobart, Holmes, Lockwood, McNeil, Mulhollen,	Mr. Salyer, Stevens, G. B. Turner, J. W. Turner, Wilkinson, Speaker,	19
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Mr. Chamberlain, by unanimous consent, moved a reconsideration

of the vote by which all after the enacting clause of the bill to amend section thirty-one and chapter fifty-two of the revised statutes of 1846, was stricken out, and the further consideration of the bill indefinitely postponed, which motion prevailed.

On motion of Mr. Chamberlain,

The bill was amended by striking out the first section.

The question then recurring on striking out all after the enacting clause, it prevailed.

On motion of Mr. Chamberlain,

The bill was laid on the table.

Mr. Bowne moved an adjournment, which motion was lost.

The House then resolved itself into committee of the whole on the general order, Mr. Lovell in the chair, and after spending some time thereon, the committee rose, and by their chairman reported back to the House without amendment,

A bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road, and for other purposes;

A bill to incorporate the Monroe and Newport plank road company:

A bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

A bill to incorporate the Niles and Mottville plank road company; and

A bill to vacate certain alleys in the village of Albion, in the county of Calhoun, and state of Michigan;

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to amend an act entitled an act to amend an act to incorporate the village of Marshall, and for other purposes; and

A bill to enlarge the powers and increase the number of officers in school districts, in certain cases.

On motion of Mr. Salyer,

The House adjourned.

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*Thursday, March 15, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Dayton, Giddings, M. S. Gillett, Mosher, Tuttle and Waite were absent on leave.

Mr. Fox, by unanimous consent, moved that the use of the Hall of the House of Representatives be granted Gillam's band for this evening, for the purpose of giving a concert, which motion was lost.

Mr. Deming presented the remonstrance of W. W. McLowell and sixty-five others, electors of Lenawee county, and of Daniel Gamby and ninety-nine others, against the division of said county; referred to the committee on townships and counties.

Mr. McNair presented the remonstrance of Perley Bills and one hundred other citizens of Lenawee county, and of Joseph H. Cleveland and one hundred and ninety others, against any division of said county; referred to the committee on the organization of townships and counties.

Mr. Earl presented the petition of L. Moffat, jr. and thirty-three others, asking for a law authorizing townships to fix the price to be paid per day to township officers; referred to the committee on state affairs.

Mr. Chamberlain presented the claim of a citizen of Berrien county, for services rendered the people of this state; referred to the committee on claims.

Mr. Ferguson, from the committee on the judiciary, to whom were referred the bill to authorize Eunice James, widow of Solomon James to sell certain real estate, and

The Senate bill to authorize Joseph McNamee, of the county of Livingston, to convey certain real estate,

Reported the same back and recommended that they be not passed, which report was accepted and the committee discharged from the further consideration of the subjects, and the bills were placed on the file of bills reported against.

Mr. Chamberlain, from the committee on federal relations, reported a bill to incorporate the Lake Michigan and Terre Coupee plank road company, which bill was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the Senate bill to incorporate the North-Western health insurance company, reported the same back without amendment, and recommended its passage, which report was accep-

ted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom was referred the bill to incorporate the Ray and Almont plank road company, reported the same back without amendment and recommended its passage; which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom was referred the bill to extend the corporate limits of the village of Kalamazoo, reported the same back with an amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to authorize Nancy Maria Sliker and others, minors, to convey certain real estate, and

A bill to provide for the sale of university lands in the county of Berrien.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of the publisher of the Jackson Patriot for advertising, reported the same back without action, and asked to be discharged from its further consideration, and recommended that the claimant have leave to withdraw his claim, which report was accepted, and the committee discharged from the further consideration of the subject, and leave was granted to the claimant to withdraw his claim from the files of the House.

Mr. G. B. Turner, from the same committee, to whom were referred the claims of Samuel Mahon and of W. W. Clarke, reported adverse to the allowance of the claims, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. Chamberlain, from the committee of conference on the part of the House, on the disagreement between the two Houses on the bill

authorizing Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county, reported that the committee had agreed to recommend to the House to concur in the Senate amendment to the bill, which report was accepted and the committee discharged from the further consideration of the subject, and

The Senate amendment was concurred in and the bill ordered to be enrolled.

The following message was announced :

EXECUTIVE OFFICE, }  
Lansing, March 14, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to incorporate the Isle Royal mining company.

EPAPHRO. RANSOM.

Mr. David gave notice that he would on some future day ask leave to introduce a bill.

Mr. Ingersoll moved that the preamble and resolutions yesterday offered by him, be taken from the table, which motion prevailed, as follows :

YEAS.

Mr. Allen,	Mr. Flower,	Mr. McNeil,
Andrews,	A. Gillet,	Moffatt,
Belding,	Haight,	Morton,
Bowne,	Hammond,	Mulhollen,
Buck,	Harger,	Parkhurst,
Burk,	Hartsuff,	Smith,
Cady,	Hatch,	Stoddard,
Chamberlain,	Holmes,	Tilden,
Chittenden,	Ingersoll,	G. B. Turner,
Coe,	Kilborn,	J. W. Turner,
Coman,	Lockwood,	Turrill,
O. C. Comstock,	Lovell,	Wilkinson,
Davis,	Matthews,	Wright,
Earl,	McNair,	Speaker, 42

NAYS.

Mr. Campbell,	Mr. Fox,	Mr. O'Malley,
Curtis,	Hawley,	St. Clair,
David,	Moran,	Stevens,
Deming,		10

Mr. Ingersoll then modified the preamble and resolutions so as to read as follows :

*Whereas*, A memorial from Charles G. Hammond was presented

to this House on the 9th instant, which, by his request, was ordered to be printed:

*And whereas*, It is deemed that said memorial contains improper reflections upon the official acts of one of the members of this House, and upon the select committee to whom was referred a proper legislative duty, as appears by the following paragraph:

"And your memorialist further represents that he is fully assured that the chairman of said special committee has wholly prejudiced and condemned the accused, and as your memorialist believes has pursued him with sheer malice for near three years, for the discharge of an official duty by the undersigned, and thus your memorialist was deprived of the benefit of a fair tribunal; and this may account for the fact before recited that the report was wholly *ex parte*."

Therefore, be it

*Resolved*, That in justice to said select committee, and to the chairman thereof, who deem their integrity of motive in this matter as having been assailed and their official action maligned; we do disapprove so much of said memorial as has been recited in the foregoing preamble, as uncourteous.

Mr. Hawley moved the indefinite postponement of the whole subject, which motion was decided in the negative, by the following vote:

#### YEAS.

Mr. Cady,  
Campbell,  
Curtis,  
David,  
Davis,  
Deming,  
Fox,  
Flower,

Mr. Harger,  
Hawley,  
Lockwood,  
Lovell,  
McNair,  
Moran,  
Morton,

Mr. O'Malley,  
Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
Wilkinson,  
Speaker.

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#### NAYS.

Mr. Andrews,  
Bacon,  
Bowne,  
Buck,  
Burk,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
Q. C. Comstock,

Mr. Earl,  
Ferguson,  
A. Gillet,  
Haight,  
Hammond,  
Hartsuff,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Matthews,

Mr. McNeil,  
Moffatt,  
Mulhollen,  
Parkhurst,  
Salzer,  
Stoddard,  
Tilden,  
G. B. Turner,  
Turrill,  
Wright,

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Mr. Chittenden moved that the preamble and resolution be laid on the table, which motion was lost.

Mr. Ingersoll moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question being on the adoption of the resolution, was then taken and decided in the affirmative, by the following vote :

YEAS.

Mr. Allen,	Mr. Earl,	Mr. Matthews,
Andrews,	Ferguson,	McNeil,
Bacon,	Fox,	Moffatt,
Belding,	A. Gillet,	Mulhollen,
Bowne,	Haight,	Parkhurst,
Buck,	Hammond,	Salter,
Burk,	Hartsuff,	Smith,
Chamberlain,	Hatch,	Stoddard,
Coe,	Hobart,	Tilden,
Coman,	Holmes,	G. B. Turner,
H. H. Comstock,	Kilborn,	J. W. Turner,
O. C. Comstock,	Lockwood,	Turrill,
Davis,	Lovell,	Wright,
		39

NAYS.

Mr. Campbell,	Mr. Harger,	Mr. O'Malley,
Chittenden,	Hawley,	Pennoyer,
Curtis,	McNair,	Stevens,
David,	Moran,	Wilkinson,
Deming,	Morton,	Speaker,
		15.

The question being on the adoption of the preamble, it was adopted, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. Lockwood,
Andrews,	Curtis,	Matthews,
Bacon,	Davis,	Moffatt,
Belding,	Earl,	Mulhollen,
Bowne,	Ferguson,	Parkhurst,
Buck,	A. Gillet,	Salter,
Burk,	Haight,	Smith,
Cady,	Hammond,	Tilden,
Campbell,	Hartsuff,	G. B. Turner,
Chamberlain,	Hobart,	J. W. Turner,
Coe,	Holmes,	Turrill,
Coman,	Kilborn,	Wright,
H. H. Comstock,		37.

NAYS.

Mr. David,	Mr. Hawley,	Mr. Pennoyer,
Deming,	Lovell,	St. Clair,

Fox,  
Harger,  
Hatch,

McNair,  
Moran,  
O'Malley,

Stevens,  
Wilkinson,  
Speaker, 15

Mr. Chittenden offered the following resolution:

*Resolved*, That the use of this Hall be allowed to Messrs. Gillam & Weed, this evening, for the purpose of giving a concert, as per request of several citizens of Lansing.

Which resolution was rejected by the following vote:

#### YEAS.

Mr. Buck,  
Burk,  
Campbell,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,  
David,  
Earl,

Mr. Fox,  
Hammond,  
Ingersoll,  
Lockwood,  
Matthews,  
Moffatt,  
Moran,  
Morton,

Mr. O'Malley,  
Pennoyer,  
Salyer,  
St. Clair,  
Tilden,  
J. W. Turner,  
Wright,  
Speaker

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#### NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Bowne,  
Cady,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
Davis,  
Deming,

Mr. Ferguson,  
Flower,  
Haight,  
Harger,  
Hawley,  
Hartsuff,  
Hatch,  
Hobart,  
Hoknes,  
Kilborn,  
Lovell,

Mr. McNair,  
McNeil,  
Mulhollen,  
Parkhurst,  
Smith,  
Stevens,  
Stoddard,  
G. B. Turner,  
Turrill,  
Wilkinson,

32

On motion of Mr. J. W. Turner,

The committee of the whole was discharged from the further consideration of the bill to provide for the laying out a state road from Ohio, north to the village of Hudson.

Mr. J. W. Turner moved that the second line of section one be amended by striking out the words "William Frazer," and inserting "T. C. Sawyer," which amendment was agreed to.

On motion of Mr. Coman,

The bill was amended by adding thereto the following to stand as section nine:

"Sec. 9. The highway commissioners of the township of Wright, in the county of Hillsdale, may at their discretion apply the non-resident highway tax of said township on any road they may deem to be for the best interests of the inhabitants of said township."

The bill was then ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the files of bills for a third reading.

Mr. Hammond gave notice that he would on some future day ask leave to introduce a bill requiring the people at the next general election, to elect a board of state auditors to adjust all claims now settled by the legislature.

Mr. Belding, pursuant to previous notice, asked and obtained leave to introduce a bill to repeal an act to authorize the erection of a toll gate and for keeping in repair the Detroit and Saginaw road and for other purposes, which was read twice and referred to the committee on roads and bridges.

On motion of Mr. St. Clair.

*Resolved*, That the members of the third House be requested to do all their business with the members of this House, outside of the bar.

Mr. Salyer moved that the member from Chippewa be re-appointed to the station on the standing committees which were resigned by him on Tuesday of this week.

On motion of Mr. McNeil,

The motion was laid on the table.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a bill appropriating certain non-resident taxes for the improvement of a road from Howell to Pontiac, which was read twice, and referred to the committee on roads and bridges.

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill relative to the admission of attorneys, counsellors, and solicitors, which was read twice and referred to the committee on the judiciary.

Mr. Fox moved a reconsideration of the vote by which the House refused to order the joint resolution relative to the claim of James Parshall to be read the third time, which motion was lost.

Mr. Parkhurst offered the following resolution:

*Resolved*, That on and after Thursday next, this House will hold evening sessions.

On motion of Mr. Hammond,

The resolution was laid on the table.

On motion of Mr. Hawley,

The action of the twenty-seventh rule was suspended, when

Mr. H. H. Comstock moved a reconsideration of the vote by which the House refused to pass the bill to incorporate the grand lodge of free and accepted masons of the state of Michigan, which motion prevailed, by the following vote:

## YEAS.

Mr. Allen,	Mr. David,	Mr. Matthews,
Bacon,	Davis,	McNair,
Belding,	Deming,	Moffatt,
Bowne,	Earl,	Morton,
Buck,	Fox,	Mulhollen,
Burk,	Flower,	Parkhurst,
Cady,	Harger,	Pennoyer,
Campbell,	Hartsuff,	Salzer,
Chamberlain,	Hatch,	Smith,
Coe,	Hawley,	Stoddard,
Coman,	Hobart,	Tilden,
H. H. Comstock,	Kilborn,	Wright,
O. C. Comstock,	Lovell,	Speaker, 40
Curtis,		

## NAYS.

Mr. Andrews,	Mr. Holmes,	Mr. G. B. Turner,
A. Gillet,	Lockwood,	Turrill,
Haight,	McNeil,	Wilkinson, 10
Hammond,		

On motion of Mr. Morton,

The bill was laid on the table.

On motion of Mr. H. H. Comstock,

The House adjourned.

## AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Earl, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize townships to determine the compensation of certain township officers, which was read twice, and referred to the committee on state affairs.

On motion of Mr. Chittenden,

Leave was granted to Samuel Mahon to withdraw the papers relative to his claim from the files of the House.

The bill to provide for laying out a state road from Ohio, north to the village of Hudson, was read the third time and passed.

The House having arrived at the order of unfinished business, took up the bill to enlarge the powers and increase the number of officers in school districts in certain cases, and the amendments reported thereto by the committee of the whole were concurred in, and the bill was ordered to be engrossed and read the third time.

The amendment reported by the committee of the whole to the bill to amend an act entitled an act to amend an act to incorporate the village of Marshall, and for other purposes, was concurred in, and the bill was ordered to be engrossed and read the third time.

The bill to incorporate the Niles and Mottville plank road company was taken up, and

On motion of Mr. G. B. Turner,

Amended by adding, to the end of section two, the words "said road shall be constructed by the way of the villages of Edwardsburg and Adamsville, or Cassopolis, in the county of Cass."

The bill was then ordered to be engrossed and read the third time.

The following entitled bills were taken up and severally ordered to be engrossed, and read the third time, viz:

A bill to vacate certain alleys in the village of Albion, in the county of Calhoun, and state of Michigan;

A bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

A bill to incorporate the Monroe and Newport plank road company; and

A bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road, and for other purposes.

The House then resolved itself into a committee of the whole on the general order, Mr. G. B. Turner in the chair, and after spending some thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill amending an act relative to plank roads, approved March 13, 1848;

A bill to provide for the support of the system of international exchanges;

A bill to authorize the minor heirs of William Mochmoer to convey certain real estate; and

Joint resolution of thanks to M. Vattermare.

And also reported back with sundry amendments, in which the concurrence of the House was asked;

A bill to incorporate the Decatur, Lawrence and Breedsville plank road company;

A bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, in Oakland county;

A bill to authorize the auditor general to purchase a bell for the capitol;

A bill to lay out a state road in the county of Ottawa;

A bill to incorporate the Monroe and Belleville plank road company; and

A bill to authorize the supervisors of the county of Kent to construct a free bridge across Grand River, at or near the mouth of Flat river, in the township of Lowell.

And also reported that they had had under consideration a bill to incorporate the St. Joseph valley railroad company, on which they had made some progress, and asked and obtained leave to sit again thereon.

The amendments reported by the committee of the whole of the bill to incorporate the Monroe and Belleville plank road company, were concurred in.

On motion of Mr. Hawley,

The fifth section of the bill was amended by striking out the words "or such other roads between said points as may be deemed most judicious."

On motion of Mr. David,

The words "except so far as is otherwise provided by this act," were stricken out of the second line of section four.

The bill was then ordered to be engrossed and read the third time.

The first and second amendments to the bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, in Oakland county, were concurred in and the third amendment was non-concurred in.

The bill was then ordered to be engrossed and read the third time.

The amendment reported to the bill to authorize the auditor general to purchase a bell for the capitol, was non-concurred in.

Mr. Kilborn moved to amend the second line of section two, by

striking out the word "two" and inserting "five," which motion was lost.

Mr. Chittenden moved that the word "dollars," be stricken out of the second line of section two, and "acres of land" inserted, which motion was lost.

On motion of Mr. G. B. Turner,

All after the enacting clause of the bill, was stricken out, and its further consideration was indefinitely postponed.

The amendments reported by the committee of the whole to the bill to lay out a state road in the county of Ottawa, and

To the bill to incorporate the Decatur, Lawrence and Breedsville plank road company,

Were severally concurred in, and the bills were ordered to be engrossed and read the third time.

The amendment to the bill to authorize the supervisors of the county of Kent to construct a free bridge across Grand river, at or near the mouth of Flat river, in the township of Lowell, was concurred in and the bill was ordered to be read the third time.

The following entitled bills and joint resolution were severally ordered to be read the third time, viz:

A bill to provide for the support of the system of international exchange;

A bill amending an act relative to plank roads; approved March 13, 1848;

A bill to authorize the minor heirs of William Meckmoer to convey certain real estate, and

A joint resolution of thanks to M. Vattermare.

On motion of Mr. McNair,

The House adjourned.

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*Friday, March 16, 1848.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain:

The roll was called, and Messrs. Dayton, Giddings, M. S. Gillett, Mosher and Tuttle were absent on leave.

Mr. Pennoyer presented the remonstrance of John Coatsworth.

and nine hundred and forty-one other electors of the county of Ingham, against the passage of any law removing any of the terms of the courts of said county from the present county site to Lansing; laid on the table.

Mr. Lovell presented the petition of Mr. Densmore and sixty-three other inhabitants of the township of Portland, in the county of Ionia, for an appropriation to aid in constructing a bridge across Grand river, at the village of Portland, in said county; laid on the table.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of a citizen of Berrien county for services rendered the people of this state, reported adverse to the allowance of the claim, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a bill to incorporate the Trenton and Ypsilanti plank road company, which was read twice and ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to authorize Isaac N. Swain to erect and maintain a dam across Paw Paw river, in Berrien county, was correctly enrolled and was this day presented to the Governor for his approval.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly engrossed, viz:

A bill to incorporate the Decatur, Lawrence and Breedsville plank road company;

A bill to lay out a state road in the county of Ottawa;

A bill to incorporate the Monroe and Belleville plank road company;

A bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, in the county of Oakland;

A bill to amend an act entitled an act to amend an act to incorporate the village of Marshall, and for other purposes;

A bill to vacate certain alleys in the village of Albion, in the county of Calhoun and state of Michigan;

A bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road, and for other purposes;



A bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

A bill to incorporate the Monroe and Newport plank road company;

A bill to enlarge the powers and increase the number of officers in school districts, in certain cases; and

A bill to incorporate the Niles and Mottville plank road company.

Mr. Ferguson, from the committee on the judiciary, reported (in pursuance of a resolution of the House,) a bill to amend chapter ninety-three of the revised statutes of 1846, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, made the following reports, which were accepted and the committee discharged from the further consideration of the subjects, viz:

The committee on the judiciary, to whom was referred the petition of L. M. Mason and seventy-five other citizens of the county of St. Clair, praying for a repeal of the county court law in said county, have had the same under consideration, and instruct me, as their chairman, to report adverse to the prayer of the petitioners. The committee are of the opinion that it is not advisable to except one county from the provisions of the general law establishing county courts, and they are not prepared to believe that a majority of the people desire the abolition of that court entirely; modifications in the laws establishing and governing proceedings in county courts, are necessary, and the committee have labored to produce such modifications, at the present session of the legislature; and it is believed that by passing a bill now in the possession of the House, the objectionable features of the present laws may be obviated, and the county court become of practical utility, and meet with the approval of the people at large; and the committee ask to be discharged from the further consideration of the subject.

The committee on the judiciary, to whom was referred a bill relative to the admission of attorneys, counsellors and solicitors, have had the same under consideration, and instruct me as their chairman, to report adverse to the passage of the bill. The bill proposes to ad-

mit any citizen as attorney, counsellor and solicitor, without any examination as it regards his qualifications or his moral character, upon evidence merely, that such person has been admitted to practice in any court of record of another state.

Under our present statutes any person possessing a good moral character and the requisite learning, may be admitted to practice as such attorney, &c., in all the courts of this state, but he must first undergo an examination by which his learning and ability may be tested. It is well known that in some of the states, that all persons, without any test or examination, are admitted to practice in courts of record, and that in some of the states, inferior courts of record, admit persons of inferior qualifications, to practice in them; and it is apprehended that the effect of the bill would be to admit all such to practice in our courts without undergoing the previous examination to which others are subjected. If the persons seeking admission as attorneys, &c., possess the requisite qualifications, and good character, they certainly need not fear an examination; and if they do not possess these, it would be unfair to grant them favors that are denied to others. The committee would recommend equality in this respect. If, in one case, learning and good character are made the test, let it be so in all cases. The bill provides that any "citizen who has been admitted," &c., "may be admitted to practice in the circuit court," &c. Now it is not an unusual thing for persons who *have been* admitted to practice as attorneys, to have their license revoked for misconduct, and yet by the provisions of the bill, such persons need only present evidence, that they "*have been* admitted," &c., to entitle them to be admitted to practice in our courts. The committee are decidedly opposed to any change of the present law, by which some individuals, or one class of men, shall be favored more than others. They would say, let all persons equally have the right to present themselves for examination, and if found worthy in character and qualified in learning, let them all equally enjoy the benefits, if any there be, of admission to practice in all the courts of our state. The committee instruct me to report the bill back to the House without amendment, and to recommend that it do not pass, and the committee ask to be discharged from the further consideration of the subject.

The bill relative to the admission of attorneys, counsellors and solicitors, was placed on the file of bills reported against.

Mr. Ferguson, from the same committee, to whom was referred the bill to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole, and placed on the general order.

Mr. Morton, from the committee on state affairs, to whom was referred the bill authorizing township clerks to subscribe for certain newspapers, and for other purposes, reported the same back with amendments, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Morton, from the same committee, to whom was referred the bill to authorize townships to determine the compensation of certain township officers, reported the same back, and recommended that it be not passed, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was placed on the file of bills reported against.

Mr. Davis, from the committee on roads and bridges, to whom was referred the bill to repeal an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes, reported the same back without amendment and recommended its passage, which report was accepted, and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 15, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the sale of university lands in the county of Berrien; also,

An act to authorize Nancy Maria Sliker and others, minors, to convey certain real estate.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE, }  
 Lansing, March 15, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to organize certain townships and for other purposes.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
 Lansing, March 15, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the amendment of the House to the following entitled bills and joint resolution, and have ordered the same as amended to be enrolled, viz:

A bill to incorporate the city of Detroit gas company;

A bill to amend an act entitled an act to extend the time for the collection of certain taxes in the township of Byron, in county of Shiawassee, approved February 13, 1849;

A bill for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county;

A bill to authorize Alfred Ashley, his heirs or assigns, to construct a plank road across those parts of sections two and eleven, in town three north, or range fourteen east, known as salt spring lands belonging to the state; and

A joint resolution authorizing the commissioner of the state land office to issue a certificate of purchase of certain school lands to Thomas B. Abell.

I am further instructed to respectfully inform you that the Senate insist upon their disagreement with the House upon their ninth amendment to authorize a relocation of the Northern wagon road between the villages of Flint and Corunna, which bill is returned herewith, and have appointed Senators Thompson, Griswold and Baxter a committee of conference on the part of the Senate on the disagreement between the two Houses on said bill; and to respectfully request the appointment of a like committee on the part of the House.

I am further instructed to return herewith a bill to amend chapters ninety-three of the revised statutes of 1846, relative to appeals, and

to respectfully inform you that the Senate have concurred in the report of the committee of conference thereon.

Also that the Senate have concurred in the report of the committee of conference on the disagreement between the two Houses, on a bill to authorize Isaac N. Swain to erect and maintain a dam across Paw Paw river, in the county of Berrien.

I am further instructed to return herewith joint resolution relative to new business, and to respectfully inform you that the Senate have non-concurred in the amendment of the House thereto.

I am further instructed to return herewith the following entitled bills and joint resolution, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to authorize Esther Tuthill to convey certain real estate;

A bill to change the name of the village of Groveland, in the county of Jackson, to that of Parma;

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair; and

A joint resolution relative to the pay of the late Herman C. Noble.

Also, the following entitled bills, which the Senate have passed with amendments in which the concurrence of the House is respectfully asked, viz:

A bill to provide for improving Grand river, in the township of Lansing, as a public highway; and

A bill to organize certain townships, and for other purposes.

I am further instructed to transmit herewith the following entitled bill, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill appropriating certain non-resident highway taxes for the improvement of the Pontiac and Grand river road.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill appropriating certain non-resident highway taxes for the improvement of the Pontiac and Grand river road, was read twice and referred to the committee on roads and bridges.

The bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals;

The bill to authorize Esther Tuthill to convey certain real estate;  
 The bill to change the name of the village of Groveland, in the county of Jackson, to that of Parma;

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair; and

The joint resolution relative to the pay of the late Herman C. Noble,

Were ordered to be enrolled.

The Senate amendments to the bill to organize certain townships, and for other purposes, and

To the bill to provide for improving Grand river, in the township of Lansing as a public highway,

Were severally concurred in, and the bills as amended were ordered to be enrolled.

On motion of Mr. McNeil,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on the bill to authorize a re-location of the Northern wagon road between the villages of Flint and Corunna, and

The Speaker appointed as such committee, Messrs. McNeil, Deming and Hawley.

On motion of Mr. G. B. Turner,

The House insisted on its amendment to the joint resolution relative to new business.

The following message was received from the Senate:

SENATE CHAMBER, }  
 Lansing, March 15, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to amend an act entitled an act to authorize the sale of the Southern railroad, and to incorporate the Michigan southern railroad company, which the Senate have agreed to pass, notwithstanding the objections of the Governor, (which objections are herewith also transmitted,) by a vote of two-thirds of the Senators present.

I am further instructed to transmit herewith the following entitled bill, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill authorizing an appropriation to aid in the construction of a bridge across Grand river, at Portland, in the county of Ionia.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill authorizing an appropriation to aid in the construction of a bridge across Grand river, at Portland, in the county of Ionia, was read twice, when

Mr. Lovell moved a suspension of the rules, so that the bill might receive its third-reading to-day, which motion was lost.

Mr. Pennoyer moved a reconsideration of the vote refusing to suspend the rule;

Pending which,

Mr. Chittenden moved the previous question, which was demanded, and the main question was ordered to be now put.

The question then being on reconsidering the vote refusing to suspend the rule,

It was reconsidered, by yeas and nays, as follows:

#### YEAS.

Mr. Allen,	Mr. Hobart,	Mr. Pennoyer,
Bowne,	Ingersoll,	Smith,
Buck,	Kilborn,	St. Clair,
Burk,	Lockwood,	Stevens,
Campbell,	Lovell,	Stoddard,
Chamberlain,	Mathews,	Tilden,
Coman,	Moffatt,	Turrill,
H. H. Comstock,	Moran,	Waite,
O. C. Comstock,	Morton,	Wilkinson,
Deming,	Mulhollen,	Wright,
Hammond,		

31

#### NAYS.

Mr. Andrews,	Mr. Earl,	Mr. Hawley,
Bacon,	Ferguson,	Holmes,
Belding,	Fox,	McNair,
Cady,	A. Gillet,	McNeil,
Chittenden,	Haight,	G. B. Turner,
Curtis,	Harger,	J. W. Turner,
David,	Hatch,	Speaker,

24

The question then recurring on the suspension of the rule, it was not suspended by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Allen,  
Cady,  
Campbell,  
Chamberlain,  
Coe,  
Davis,  
Deming,  
Hammond,  
Ingersoll,

Mr. Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
Moffatt,  
Moran,  
Morton,  
Mulhollen,

Mr. Pennoyer,  
Smith,  
St. Clair,  
Stevens,  
Tilden,  
Waite,  
Wilkinson,  
Wright,

25

NAYS.

Mr. Andrews,  
Bacon,  
Belding,  
Bowne,  
Chittenden,  
Coman,  
H. H. Comstock,  
Curtis,  
David,

Mr. Earl,  
Ferguson,  
Fox,  
A. Gillet,  
Haight,  
Harger,  
Hatch,  
Hawley,  
Holmes,

Mr. McNair,  
McNeil,  
Parkhurst,  
Stoddard,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Speaker,

26

The bill was then referred to the committee on roads and bridges.

The bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, was taken up, when

Mr. Hawley moved the previous question, which was not demanded, by the following vote:

YEAS.

Mr. Allen,  
Bacon,  
Belding,  
Burk,  
Cady,  
Chamberlain,  
David,  
Davis,

Mr. Deming,  
Ferguson,  
Flower,  
Harger,  
Hatch,  
Hawley,  
McNair,

Mr. O'Malley,  
Parkhurst,  
Pennoyer,  
Smith,  
St. Clair,  
G. B. Turner,  
Wilkinson,

22

NAYS.

Mr. Andrews,  
Buck,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
Earl,

Mr. Haight,  
Hammond,  
Hartsuff,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,

Mr. Moran,  
Morton,  
Mulhollen,  
Salter,  
Stevens,  
Stoddard,  
Tilden,  
J. W. Turner,  
Waite,  
Wright,



Fox,  
A. Gillet,

McNeil,  
Moffatt,

Speaker,

35.

On motion of Mr. H. H. Comstock,

The bill was made the special order for Tuesday next.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolution were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to amend chapter ninety-three of the revised statutes of 1846, relative to appeals;

A bill to change the name of the village of Groveland, in the county of Jackson, to that of Parma; and

A joint resolution relative to the pay of the late Herman C. Noble.

Mr. Lockwood moved that the joint resolution authorizing the board of state auditors to examine and settle the claim of Thomas B. W. Stockton, be taken from the file of bills reported against and placed on the general order, which motion was lost.

On motion of Mr. Tilden,

The bill to amend the revised statutes in relation to the assessment of highway taxes, was taken from the table.

Mr. Tilden moved that the bill be amended by striking out all of the first section after the enacting clause, and inserting the following, which motion prevailed, viz:

"The commissioners of highways of any township may assess highway taxes on real and personal estate, pursuant to the provisions of chapter twenty-three of the revised statutes of 1846, not exceeding at the rate of one day's work upon every fifty dollars of the valuation."

Mr. Bacon moved to amend the bill by adding thereto the following, which motion was lost, viz:

"Sec. 2. This act shall apply to the counties of Berrien, Monroe, Eaton, Ingham, Saginaw, Tuscola and Van Buren."

Mr. G. B. Turner moved that the bill be recommitted to the committee on roads and bridges, which was not agreed to.

The question then being on ordering the bill to be engrossed and read the third time, it was decided in the affirmative, by the following vote:

YEAS.

Mr. Allen,

Mr. Flower,

Mr. McNeil,

Andrews,	Haight,	Morton,
Cady,	Hammond,	Mulhollen,
Chamberlain,	Hartsuff,	O'Malley,
Chittenden,	Hawley,	Parkhurst,
Coman,	Holmes,	Stevens,
Curtis,	Kilbom,	Stoddard,
Deming,	Lovell,	Tilden,
Earl,	McNair,	Wright,
	NAYS.	27

Mr. Bacon,	Mr. Fox,	Mr. Salyer,
Belding,	A. Gillet,	Smith,
Bowne,	Harger,	St. Clair,
Buck,	Hatch,	G. B. Turner,
Burk,	Hobart,	Turrill,
Campbell,	Lockwood,	Waite,
David,	Moffat,	Wilkinson,
Davis,	Pennoyer,	Speaker,
Ferguson,		96

'On motion of Mr. Flower,  
The House adjourned.

#### AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed, the bill to amend the revised statutes in relation to the assessment of highway taxes.

Mr. Fox, by unanimous consent, presented two petitions of citizens of Shiawassee county, for the vacation of the county seat of said county; laid on the table.

On motion of Mr. H. H. Comstock,

The bill concerning divorces was taken from the table, and

The question being on concurring in the amending reported by the committee of the whole, striking out all after the enacting clause, pending which,

On motion of Mr. Ferguson,

The following words were added to section one, viz: "In no case shall application for divorce be made under the provisions of this act, where the husband or wife, as the case may be, has not been insane for at least five consecutive years immediately preceding such application."

The question then recurring on concurring in the amendment, striking out all after the enacting clause, it was non-concurred in, by the following vote:

## YEAS.

Mr. Bacon,  
A. Gillet,  
Haight,  
McNair,

Mr. Morton,  
Stevens,  
Tilden,  
G. B. Turner,

Mr. J. W. Turner,  
Turrill,  
Waite, 11

## NAYS.

Mr. Allen  
Andrews,  
Belding,  
Bowne,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,

Mr. David,  
Davis,  
Deming,  
Earl,  
Ferguson,  
Fox,  
Flower,  
Hammond,  
Harger,  
Hartsuff,  
Hatch,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,

Mr. Lovell,  
Matthews,  
McNeil,  
Moffatt,  
Moran,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Smith,  
St. Clair,  
Stoddard,  
Wilkinson,  
Speaker, 44

The bill was then ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

Mr. H. H. Comstock moved that the bill to authorize the auditor general to procure certain maps, be taken from the file of bills reported against, which motion was lost.

On motion of Mr. Salyer,

The motion yesterday made by him, that the member from Chippewa be reinstated in the places on standing committees resigned by him, was taken from the table.

Mr. Morton offered the following resolution as a substitute for the motion, which was accepted by the mover and adopted by the House, viz:

*Resolved*, That the Speaker of this House be requested to re-appoint the member from Chippewa, to the position on standing committees which he occupied previous to his resignation of the same.

In accordance with this resolution, the Speaker re-appointed Mr. Ingersoll on the standing committees on printing and on mines and minerals.

The following entitled bills and joint resolution were severally read the third time and passed, viz:

A bill to lay out a state road in the county of Ottawa;

A bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

A bill to vacate certain alleys in the village of Albion, in the county of Calhoun;

A bill to enlarge the powers and increase the number of officers in school districts in certain cases;

A bill amending an act relative to plank roads, approved March 13, 1848;

A bill to provide for the support of the system of international exchanges;

A bill to authorize the supervisors of the county of Kent to construct a free bridge across Grand river, at or near the mouth of Flat river, in the township of Lowell;

A bill concerning divorces; and

A bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Portiac, in Oakland county;

A bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road, and for other purposes;

A bill to authorize the minor heirs of William Mochmoer to convey certain real estate; and

A joint resolution of thanks to M. Vattermare.

The bill to amend the revised statutes in relation to the assessment of highway taxes, was read the third time, when

Mr. Belding moved that its further consideration be indefinitely postponed, which motion prevailed, by the following vote:

#### YEAS.

Mr. Bacon,  
Belding,  
Bowne,  
Buck,  
Campbell,  
Chittenden,  
Coe,  
H. H. Comstock,  
David,  
Davis,

Mr. Fox,  
A. Gillet,  
Harger,  
Hartsuff,  
Hatch,  
Ingersoll,  
Lockwood,  
McNair,  
Moffatt,

Mr. Moran,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
G. B. Turner,  
Turrill,  
Waite,  
Speaker,

NAYS.

Mr. Allen,	Mr. Earl,	Mr. McNeil,
Andrews,	Flower,	Mulhollen,
Cady,	Haight,	Parkhurst,
Chamberlain,	Hammond,	Stevens,
Coman,	Hawley,	Stoddard,
O. C. Comstock,	Holmes,	Tilden,
Curtis,	Kilborn,	J. W. Turner,
Deming,	Lovell,	Wright,
		24

The following entitled bills were severally read the third time and each passed by a two-thirds vote, viz:

A bill to incorporate the Niles and Mottville plank road company;

A bill to incorporate the Decatur, Lawrence and Breedsville plank road company;

A bill to incorporate the Monroe and Newport plank road company;

A bill to incorporate the Monroe and Belleville plank road company; and

A bill to amend an act entitled an act to amend an act to incorporate the village of Marshall, and for other purposes.

The House then resolved itself into committee of the whole on the bill to incorporate the St. Joseph valley railroad company, Mr. G. B. Turner in the chair, and after spending some time thereon, the committee rose and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

The amendments reported were concurred in, in gross.

Mr. G. B. Turner moved to amend section three by adding thereto the following:

"After the completion of said road to Constantine, or to any other point on the St. Joseph river, said company shall, within five years thereafter, construct and continue the road with a good T or H rail on the most eligible route, to the village of St. Joseph, in the county of Berrien," which motion was lost.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Stevens,

The House adjourned.

*Saturday, March 17, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer-by the Chaplain.

The roll was called, and Messrs. Dayton, Giddings, M. S. Gillett, Mosher and Tuttle were absent on leave, and Messrs. Coe, Morton and Furrill were absent without leave.

On motion of Mr. Bowne,

Mr. Giddings' leave of absence was extended for one week.

Mr. Parkhurst presented the petition of Henry Simmons and forty-nine others, of Oakland county, for a deduction in the price of university lands; referred to the committee on public lands.

Mr. J. W. Turner presented the petition of Alexander Blake and twenty-six others, for a modification of the license law; referred to the committee on state affairs.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to provide for improving Grand river, in the township of Lansing, as a public highway, was correctly enrolled and was this day presented to the Governor for his approval.

Mr. Parkhurst, from the same committee, reported that the bill to incorporate the St. Joseph valley railroad company was correctly engrossed.

Mr. Matthews, from the committee on the organization of townships and counties, reported a bill to refer to the electors of the county of Berrien the question of removing the county site to the village of Niles, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, reported a bill making appropriation for the salaries of the state officers for the year 1849, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvements, to whom was referred the petition of J. H. Adams and others, for an appropriation of lands on the Dewitt and Lansing road, reported adverse to the prayer of the petition, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. G. B. Turner, from the committee on claims, reported in fa-

vor of the allowance of the claims of Messrs. Andrews and Moffatt, for expenses incurred as a committee in the investigation of the claim of Evert B. Dyckman to a seat in this House, and recommended that the claims be referred to the committee on ways and means with instructions to embody the amount in the general appropriation bill; which report was accepted and the committee discharged from the further consideration of the subject, and the claims were referred to the committee on ways and means, with the instructions.

Mr. Ferguson, from the committee on the judiciary, reported a bill to amend an act entitled an act to authorize the Governor to issue patents in certain cases, approved April 28, 1846; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 16, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend chapter ninety-three of the revised statutes of 1846, in relation to appeals;

Also a joint resolution relative to the pay of the late Herman C. Noble.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE, }  
Lansing, March 16, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act authorizing Isaac N. Swan to erect and maintain a dam, across Paw Paw river, in Berrien county.

EPAPHRO. RANSOM.

The bill to incorporate the St. Joseph valley railroad company, was read the third time and passed by a two-thirds vote, as follows:

YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Bowne,  
Ruck,

Mr. Davis,  
Deming,  
Ferguson,  
Flower,  
A. Gillet,  
Haight,

Mr. McNair,  
Moffatt,  
Moran,  
Mulhollen,  
O'Malley,  
Parkhurst,

Burk,  
Cady,  
Campbell,  
Chamberlain,  
Chittenden,  
Coman,  
H. H. Comstock,  
Curtis,  
David,

Hammond,  
Harger,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lovell,  
Matthews,  
NAYS.

Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
Waite,  
Speaker, 45

Mr. G. B. Turner, 1

On motion of Mr. Moffatt,

The title of the bill was amended by striking out the words "St. Joseph valley" and inserting "Marshall and Constantine."

The House then resolved itself into committee of the whole on the general order, Mr. Tilden in the chair, and after spending some time thereon, the committee rose and through their chairman reported back to the House without amendment,

A bill to vacate the village plat of the village of Bloomingrove, in the county of Berrien; and

A bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848;

And also reported back, with amendments, in which the concurrence of the House was asked,

A bill for the relief of Indians; and

A bill to incorporate the Lansing coal company.

The bill to vacate the village plat of the village of Bloomingrove, in the county of Berrien, was,

On motion of Mr. Chamberlain,

Laid on the table.

The bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848, was ordered to be engrossed and read the third time.

The bill for the relief of Indians, was,

On motion of Mr. H. H. Comstock,

Laid on the table.

The amendments reported by the committee to the bill to incorporate the Lansing coal company, were concurred in, in gross, and the bill was then ordered to be engrossed and read the third time.



Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to authorize Esther Tuthill to convey certain real estate;

A bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair; and

A bill to organize certain townships, and for other purposes.

On motion of Mr. Fox,

The committee of the whole were discharged from the further consideration of the bill to vacate the seat of justice of Shiawassee county, and for other purposes.

On motion of Mr. J. W. Turner,

The House adjourned.

—  
AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The bill to vacate the seat of justice of Shiawassee county, and for other purposes, was taken up, when

Mr. Pennoyer offered a substitute therefor entitled "an bill to authorize the board of supervisors of Shiawassee county to raise money to erect county buildings."

Mr. Fox moved to amend the substitute by adding thereto the following, to stand as section four:

Sec. 4. The board of supervisors shall, before they determine to raise money for the purpose contemplated by this act, by a vote of a majority of all the supervisors elected, if in their judgment the best interests of the county require it, vacate the present seat of justice of said county and relocate the same at such point as will best subserve the public interest, and the place selected by the supervisors as aforesaid shall thereafter be and remain the seat of justice of Shiawassee county.

Mr. Hawley moved the previous question, which was demanded, and the main question was ordered to be now put.

The question then being on the amendment moved by Mr. Fox, it was rejected, by the following vote:

## YEAS.

Mr. Allen,  
Andrews,  
Bowne,  
David,  
Fox,  
Flower,

Mr. A. Gillet,  
Hammond,  
Hatch,  
Hawley,  
Lockwood,  
Lovell,

Mr. Moffatt,  
Mulhollen,  
Turrill,  
Waite,  
Wilkinson,

17

## NAYS.

Mr. Bacon,  
Belding,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
Davis,  
Deming,

Mr. Earl,  
Ferguson,  
Haight,  
Harger,  
Hartsuff,  
Holmes,  
Ingersoll,  
Kilborn,  
Matthews,  
McNair,  
McNeil,  
Moran,  
O'Malley,

Mr. Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Wright,  
Speaker,

38

The question was then taken on the substitute, and it was adopted,  
by yeas and nays, as follows :

## YEAS.

Mr. Bacon,  
Belding,  
Buck,  
Burk,  
Cady,  
Campbell,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,

Mr. Deming,  
Ferguson,  
Haight,  
Harger,  
Hartsuff,  
Holmes,  
Ingersoll,  
Kilborn,  
Matthews,  
McNeil,

Mr. Moran,  
O'Malley,  
Pennoyer,  
Salzer,  
St. Clair,  
Stevens,  
Stoddard,  
J. W. Turner,  
Wright,  
Speaker,

30

## NAYS.

Mr. Allen,  
Andrews,  
Chittenden,  
David,  
Davis,  
Earl,  
Fox,  
Flower,

Mr. A. Gillet,  
Hammond,  
Hatch,  
Hawley,  
Lockwood,  
Lovell,  
McNair,  
Moffatt,

Mr. Mulhollen,  
Smith,  
Tilden,  
G. B. Turner,  
Turrill,  
Waite,  
Wilkinson,

23

The bill was then ordered to be engrossed and read the third time,  
by the following vote :

## YEAS.

Mr. Bacon,

Mr. Curtis,

Mr. O'Malley,

Belding,	Deming,	Parkhurst,
Buck,	Ferguson,	Pennoyer,
Burk,	Haight,	Salyer,
Cady,	Holmes,	St. Clair,
Campbell,	Ingersoll,	Stevens,
Chittenden,	Kilborn,	Stoddard,
Coman,	Matthews,	J. W. Turner,
H. H. Comstock,	McNeil,	Waite,
O. C. Comstock,	Moran,	Wright,

39

NAYS.

Mr. Allen,	Mr. A. Gillet,	Mr. Moffatt,
Andrews,	Hammond,	Mulhollen,
Bowne,	Hartsuff,	Smith,
David,	Hatch,	Tilden,
Davis,	Hawley,	G. B. Turner,
Earl,	Lockwood,	Turrill,
Fox,	Lovell,	Wilkinson,
Flower,	McNair,	Speaker,

24

Mr. H. H. Comstock moved an adjournment, which motion prevailed, by the following vote:

YEAS.

Mr. Allen,	Mr. H. H. Comstock,	Mr. Moran,
Andrews,	Earl,	O'Malley,
Bacon,	A. Gillet,	Parkhurst,
Belding,	Hammond,	Salyer,
Bowne,	Hartsuff,	St. Clair,
Buck,	Holmes,	Stoddard,
Burk,	Ingersoll,	Tilden,
Cady,	Matthews,	J. W. Turner,
Campbell,	McNeil,	Wright,
Curtis,	Moffatt,	

29

NAYS.

Mr. Chittenden,	Mr. Hatch,	Mr. Pennoyer,
Coman,	Hawley,	Smith,
O. C. Comstock,	Hobart,	Stevens,
David,	Kilborn,	G. B. Turner,
Davis,	Lockwood,	Turrill,
Deming,	Lovell,	Waite,
Fox,	McNair,	Wilkinson,
Haight,	Mulhollen,	Speaker,
Harger,		

25

So the House adjourned.

Monday, March 19, 1849.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. M. S. Gillett, Mosher and Tuttle were absent on leave, and Mr. Hammond was absent without leave.

Mr. Andrews asked and obtained leave of absence for Mr. Hammond for the day.

Mr. Lockwood presented the petition of O. P. Davison and thirty others, for the appropriation of certain non-resident highway taxes on the road from Howell, in the county of Livingston, to Pontiac, in the county of Oakland; laid on the table.

Mr. Deming, presented the remonstrance of two hundred citizens of Lenawee county: of John Landon and fifty-six others, of the town of Rollin; of Calvin Osgood and thirty-seven others, and of H. S. Baily and others, against the formation of a new county, from parts of Lenawee and Hillsdale; laid on the table.

Mr. H. H. Comstock presented the petition of one hundred and fifty inhabitants of the counties of Kent and Allegan, for the establishing of a state road from Grand Rapids to Otsego, in the county of Allegan; referred to the committee on roads and bridges.

Mr. Pennoyer presented the remonstrance of Silas Beebe and thirty-seven others, of the county of Ingham, against the passage of any law by which a change may be made in the places of holding the courts of said county; laid on the table.

Mr. Parkhurst presented the petition of Sloan Cooley and twenty-nine others, for the dissolution of a certain school district in Oakland county; referred to the committee on education.

Mr. Allen presented the petition of Orange Whitlock and others, of Bingham and Greenbush, praying that certain territory may be attached to the township of Greenbush; referred to the committee on the organization of townships and counties.

Mr. Lockwood presented the petition of J. L. Armstrong and one hundred others, asking for the appointment of commissioners to assess certain damages on lands flowed in the township of Milford, in Oakland county; referred to the committee on the judiciary.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly engrossed, viz:

A bill to authorize the board of supervisors of Shiawassee county to raise money to build county buildings;

A bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848; and

A bill to incorporate the Lansing coal company.

Mr. J. W. Turner, from the committee on banks and incorporations, reported a substitute for the Senate bill to regulate the carrying of baggage by railroad companies; which report was accepted, and the committee discharged from the further consideration of the subject, and the bill and substitute were placed on the general order, and referred to the committee of the whole.

Mr. Ferguson, from the committee on the judiciary reported a bill to amend section thirty-six of chapter fourteen of the revised statutes of 1846; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Fox, from the committee on the state prison, reported a bill to suppress monopolies and repeal obnoxious laws; which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Moffatt, from the majority of the committee on banks and incorporations, to whom was referred the Senate bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto, reported the same back with amendments, and recommended its passage; which report was accepted, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Chittenden from the minority of the same committee, submitted the following report on the last named bill; which report was accepted and the committee discharged from the further consideration of the subject, viz:

Strike out sections three, five and seven of the bill.

The above recommendations are made for the reason that the authorities, citizens and tax-payers of the city of Detroit, ask for the passage of no such law, but have by letter strongly remonstrated against it. The provisions of the bill sought to be struck out provide for the encumbering of the taxable property of the city with a debt of two hundred thousand dollars, to be placed in the

hands of an irresponsible incorporation, and your committee think that it would be unjust at a general election to allow voters, a great many of which are transient persons, not owning a dollar of taxable property in the city, to vote a debt on citizens, every dollar of which could be collected by execution levied on their hard earned property.

Mr. Campbell, from the committee on internal improvement, reported a bill making appropriations for a certain bridge in the town of Lansing, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 17, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State, an act to provide for improving Grand river, in the township of Lansing;

An act to authorize Esther Tuthill to convey certain real estate;

An act to organize certain townships, and for other purposes; and

An act to alter the town line dividing the townships of Saint Clair and China, in the county of Saint Clair.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 17, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills and joint resolution, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to provide for the payment of officers attending on the courts of chancery;

A bill to change the name of Augustus Kendricks;

A bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien; and

Joint resolution relative to the distribution of the session laws, journals and documents of the legislature of the year 1849.

Also, a bill to authorize certain Indians to convey lands in the county of Allegan, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Also, the following entitled bills and joint resolution, and respectfully inform you that the Senate have non-concurred therein, viz:

A bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847; and

Joint resolution relative to furnishing legislative documents to township libraries.

I am further instructed to transmit herewith the following entitled bills and joint resolution, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the St. Clair plank road company;

A bill to incorporate the Pontiac and Waterford plank road company; and

A bill to incorporate the Saginaw and Grand river canal company; and

Joint resolution relative to the claim of Doty and Abbott.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to change the name of Augustus Kendricks;

The bill to provide for the payment of officers attending on the courts of chancery;

The bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien; and

The joint resolution relative to the distribution of the session laws, journals and documents of the legislature of the year 1849,

Were severally ordered to be enrolled.

The following entitled Senate bills were severally read twice and referred to the committee on banks and incorporations, viz:

A bill to incorporate the Saginaw and Grand river canal company;

A bill to incorporate the St. Clair plank road company; and

A bill to incorporate the Pontiac and Waterford plank road company.

The Senate joint resolution relative to the claim of Doty and Abbott, was read twice and referred to the committee on claims.

The Senate amendments to the bill to authorize certain Indians to convey lands in the county of Allegan, were concurred in, and the bill as amended was ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 19, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bill which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the Temple building company of Battle Creek.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill for the improvement of Flat river; and

A bill to create a state board of equalization, and to apportion the state tax among the several counties of the state.

Respectfully, &c.,

W. L. BANCROFT;

*Secretary of the Senate.*

The Senate bill to create a state board of equalization and to apportion the state tax among the several counties of the state, was read twice and referred to the committee on ways and means.

The Senate bill for the improvement of Flat river, was read twice, when

Mr. Lovell moved to suspend the rules, which motion was lost, and the bill was referred to the committee on internal improvement.

The Senate amendments to the bill to incorporate the Temple building company of Battle Creek, were concurred in by a two-thirds vote, and the bill as amended was ordered to be enrolled.

Mr. Ingersoll, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the village of St. Mary, which was read twice and referred to the committee on banks and incorporations.

Mr. J. W. Turner, by unanimous consent, previous notice having been given, introduced a bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847; which was read twice and ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. J. W. Turner,



The action of the rule was suspended so as to enable the bill to receive its third reading to-day.

On motion of Mr. J. W. Turner,

*Resolved*, That the resolution heretofore adopted by the House, limiting the time each member may occupy the floor in debate, shall not apply to any bill or resolution that is, or may be placed upon the special order.

Mr. Bowne offered the following preamble and resolution:

*Whereas*, The Michigan southern railroad company seems to be in difficulty in regard to the payment of the instalments and the interest thereon, to become due from said company to this state, on account of the sale of the said Southern railroad to said company; and

*Whereas*, It is alleged by the stockholders and others, that the said Michigan southern railroad company are unable to pay up the instalments thus to become due, and at the same time to proceed to construct and complete the said road according to the act of incorporation, creating said company, and providing for the sale and transfer of said road to the said company; and

*Whereas*, The said Southern railroad company did apply to the legislature of the year 1848, for an extension of the time of payment for the term of six years, of the instalments of the purchase money to become due, as provided in said act of incorporation, and by them contracted to be paid at certain times, and in a certain manner as therein set forth; and

*Whereas*, A bill was passed at the session of the legislature on the third day of April, 1848, granting to the Michigan southern railroad company the extension of time for the payment of the instalments to become due as aforesaid; and

*Whereas*, After the passage of the said bill, the legislature of 1848, did on the said third day of April, adjourn *sine die*; and

*Whereas*, The Governor of the state, by virtue of the authority vested in him by the constitution and laws, did withhold his signature from said bill; and

*Whereas*, In consequence of such adjournment, the bill was not returned to the House in which it originated with his objections, that it might be a second time passed upon; and in consequence of the Governor's refusal to sign the same, it could not become a law; and

*Whereas*, On that account, the said Michigan southern railroad company have again applied to the legislature of the state, at its session for the year 1849, for an extension of the time of said payments coming due as aforesaid; and

*Whereas*, A bill has passed this legislature granting to the said Michigan southern railroad company an extension of time for the term of five years, for the payment of the instalments to become due to the state as aforesaid; and

*Whereas*, The Governor of the state has for reasons given at length, in a message dated March 15th, 1849, accompanying the return of the bill, vetoed the same by withholding his signature; and

*Whereas*, It is at least doubtful whether this bill can at this session of the legislature, constitutionally become a law; and

*Whereas*, The legislation upon this subject, at the session of 1848, was the occasion of great delay in the legislation upon other subjects which were made dependent upon the passage of said bill, thereby lengthening out the session of 1848, and thereby causing great expense to the people of the state and a heavy disbursement of funds; and

*Whereas*, The legislation upon this subject at the present session has already cost the state a large sum of money, and will continue (if pursued) to be an expensive operation; and

*Whereas*, If the supposition be correct that the bill cannot be passed at this session of the legislature by a constitutional vote, the probability is, that said company will renew their application to the next legislature, for such extension, and if then defeated, will continue so to do at each succeeding session of the legislature, and thereby cause a very great waste of the money of the people and of the time of the legislature, which should be devoted to other, and more laudable objects of legislation; and

*Whereas*, It may be feared that if the said extension of the time of making the said payments, should in the end be thus granted to them, that the said Michigan southern railroad company might ultimately fail to make the payments according to the provisions, and after using the road until it would be in a dilapidated condition, would then allow it to revert to the state, thus cheating the state out of all or nearly all of the amount properly due; besides the amount wasted in this useless legislation upon this subject; and

*Whereas*, In the opinion of this House it would be proper, and for the best interest of the state, to get clear of this perplexing subject as soon as possible, and by that means prevent much corrupting influence from being brought to bear upon, and affect other subjects of legislation at future sessions of the legislature, and which might derange the state policy, or entangle and perplex the fiscal operations of the state, and prevent in many instances judicious legislation upon subjects of general importance; therefore

*Resolved*, That the committee on ways and means be, and they are hereby instructed to inquire into the expediency and propriety of passing a joint resolution authorizing the board of state auditors or other legal authority, to cancel the bonds or other evidences of indebtedness of the Michigan southern railroad company, given to the state of Michigan for the payment of the amount due to the state in consideration of the sale of said southern railroad, and to give to the properly authorized agents of said company receipts in full for the amount of their indebtedness to the state. And the said committee are hereby further instructed to report by joint resolution or otherwise.

Mr. H. H. Comstock moved that the preamble and resolution be laid on the table, which motion was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Buck,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
Dayton,  
Earl,  
Fox,  
Giddings,

Mr. Haight,  
Hatch,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,

Mr. McNeil,  
Morton,  
O'Malley,  
Salyer,  
Stoddard,  
Turrill,  
Waite,  
Speaker, 24.

NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Bowne,  
Burk,  
Campbell,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,

Mr. David,  
Davis,  
Deming,  
A. Gillet,  
Harger,  
Hartsuff,  
Hawley,  
Hobart,  
McNair,  
Moffatt,

Mr. Moran,  
Mulhollen,  
Parkhurst,  
Pennoyer,  
Smith,  
Stevens,  
Tilden,  
J. W. Turner,  
Wilkinson,  
Wright,

Mr. O'Malley moved that the further consideration of the preamble and resolution be indefinitely postponed, which motion prevailed, by the following vote:

YEAS.

Mr. Andrews,	Mr. Flower,	Mr. Mulhollen,
Bacon,	Giddings,	O'Malley,
Buck,	Haight,	Parkhurst,
Burk,	Hartsuff,	Pennoyer,
Cady,	Hatch,	Salzer,
Campbell,	Hawley,	St. Clair,
Coe,	Hobart,	Stevens,
Coman,	Holmes,	Stoddard,
H. H. Comstock,	Ingersoll,	Tilden,
O. C. Comstock,	Kilborn,	G. B. Turner,
Curtis,	Lockwood,	J. W. Turner,
David,	Lovell,	Turrill,
Dayton,	Matthews,	Waite,
Earl,	McNeil,	Wright,
Fox,	Morton,	Speaker,

45

NAYS.

Mr. Belding,	Mr. Deming,	Mr. Moffatt,
Bowne,	A. Gillet,	Moran,
Chamberlain,	Harger,	Smith,
Chittenden,	McNair,	Wilkinson,
Davis,		

13

Mr. Ingersoll moved that the joint resolution authorizing the board of state auditors to examine and settle the claim of Thomas B. W. Stockton, be taken from the file of bills reported against, which motion was lost.

Mr. Giddings gave notice that he would on some future day ask leave to introduce a bill to incorporate a plank road company from Galesburg to Grand Rapids.

On motion of Mr. Giddings,

The bill to provide for the service of writings, processes and notices in certain cases, upon persons in the employ of certain corporate companies, was taken from the table, and ordered to be engrossed and read the third time, and the engrossment having been dispensed with, the bill was placed on the order of bills for a third reading.

On motion of Mr. Chamberlain,

The committee of the whole were discharged from the further consideration of the bill to improve the navigation of the St. Joseph river and to incorporate the Niles hydraulic company, and it was re-committed to the committee on banks and incorporations.

On motion of Mr. Chamberlain,

The bill to vacate the village plat of the village of Bloomingrove, was taken from the table, and

It was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. H. H. Comstock,

The joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers and other records in the offices of the state Treasurer, Auditor General and Commissioner of the state land office, and the office of the Agent of the state prison, since the year 1840, together with the substitute therefor, was taken from the table.

Mr. Hawley moved to amend the substitute by inserting the words "during its present session," in the fifth line, after the word "legislature," which amendment was not agreed to.

Mr. McNeil moved that the further consideration of the whole subject be indefinitely postponed, which motion was lost by the following vote:

YEAS.

Mr. Cady,  
Campbell,  
Chittenden,  
Coman,  
O. C. Comstock,  
Curtis,  
David,

Mr. Flower,  
Haight,  
Hartsuff,  
Hawley,  
Holmes,  
Kilborn,

Mr. Lockwood,  
McNeil,  
O'Malley,  
Pennoyer,  
Stevens,  
Stoddard,

19

NAYS.

Mr. Allen,  
Andrews,  
Belding,  
Buck,  
Burk,  
Chamberlain,  
Coe,  
H. H. Comstock,  
Davis,  
Dayton,  
Deming,

Mr. Ferguson,  
Fox,  
Giddings  
A. Gillet,  
Harger,  
Hatch,  
Hobart,  
McNair,  
Moffatt,  
Mulhollen,  
Parkhurst,

Mr. Salyer,  
Smith,  
St. Clair,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Wilkinson,  
Wright,  
Speaker,

32

The question then being on the adoption of the substitute, it was not adopted, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. Davis,	Mr. McNeil,
Andrews,	David,	O'Malley,
Belding,	Deming,	Pennoyer,
Burk,	Flower,	Stevens,
Cady,	Hartsuff,	Stoddard,
Campbell,	Hatch,	G. B. Turner,
H. H. Comstock,	Hawley,	J. W. Turner,
O. C. Comstock,	Holmes,	Wilkinson,
Curtis,	Lockwood,	

26.

## NAYS.

Mr. Buck,	Mr. Giddings,	Mr. Mulhollen,
Chamberlain,	A. Gillet,	Parkhurst,
Chittenden,	Haight,	Salter,
Coe,	Harger,	Smith,
Coman,	Hobart,	St. Clair,
Dayton,	Ingersoll,	Tilden,
Earl,	Kilborn,	Turrill,
Ferguson,	Lovell,	Wright,
Fox,	Moffatt,	Speaker,

27.

Mr. Wright moved a reconsideration of the last vote, which motion prevailed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Curtis,	Mr. McNeil,
Andrews,	David,	O'Malley,
Belding,	Deming,	Pennoyer,
Burk,	Davis,	Smith,
Cady,	Flower,	Stevens,
Campbell,	Harger,	Stoddard,
Chittenden,	Hatch,	J. W. Turner,
Coman,	Hawley,	Wilkinson,
H. H. Comstock,	Holmes,	Wright,
O. C. Comstock,	Lockwood,	

29.

## NAYS.

Mr. Buck,	Mr. Haight,	Mr. Mulhollen,
Chamberlain,	Hammond,	Parkhurst,
Coe,	Hartsuff,	Salter,
Dayton,	Hobart,	St. Clair,
Earl,	Ingersoll,	Tilden,
Ferguson,	Kilborn,	Turrill,
Fox,	Lovell,	Waite,
Giddings,	Moffatt,	Speaker,
A. Gillet,		

25.

On motion of Mr. Allen,

The joint resolution and substitute were laid on the table.

On motion of Mr. Hawley,

The bill to amend sections thirty-one and fifty-two of chapter twenty of the revised statutes of 1846, was taken from the table, and all after the enacting clause having been heretofore stricken out,

Mr. Hawley moved to amend the same by inserting the following to stand as sections one and two, which motion was agreed to, viz:

"That section fifty-two of chapter twenty of the revised statutes of 1846, be amended by adding at the end of said section the words 'and said treasurer shall account to the township board for the per cent. added for collection expenses on all non-resident lands returned to the county treasurer.' "

"Sec. 2. This act shall take effect and be in force from and after its passage."

The bill was then ordered to be read the third time.

On motion of Mr. Cady,

The committee of the whole were discharged from the further consideration of the bill to incorporate the Ray and Almont plank road company, and it was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Allen,

The House adjourned.

#### AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to change the name of Augustus Kendricks;

A bill to vacate a portion of the plat of the village of Berrien, in the county of Berrien;

A bill to provide for the payment of officers attending on the court of chancery; and

A joint resolution relative to the distribution of the session laws, journals and documents of the legislature of the year 1849.

On motion of Mr. David,

The committee of the whole were discharged from the further consideration of the bill to incorporate the Trenton and Ypsilanti plank road company, and it was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

The bill to authorize the board of supervisors of Shiawassee county to raise money to build county buildings, was read the third time, when

Mr. Fox moved that its further consideration be indefinitely postponed, which motion prevailed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Hammond,	Mr. Mulhollen,
Andrews,	Harger,	Parkhurst,
Bowne,	Hatch,	Salzer,
Chittenden,	Hawley,	Smith,
David,	Hobart,	Tilden,
Davis,	Lockwood,	G. B. Turner,
Earl,	Lovell,	J. W. Turner,
Ferguson,	McNair,	Wilkinson,
Fox,	Moffatt,	Speaker,
Giddings,		

28

## NAYS.

Mr. Bacon,	Mr. Curtis,	Mr. McNeil,
Belding,	Dayton,	Morton,
Buck,	Deming,	Pennoyer,
Cady,	A. Gillet,	St. Clair,
Campbell,	Haight,	Stevens,
Coe,	Holmes,	Stoddard,
Coman,	Ingersoll,	Waite,
H. H. Comstock,	Kilborn,	Wright,
O. O. Comstock,	Matthews,	

29

The bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road in the county of Eaton, approved March 27, 1848, was read the third time, when

Mr. J. W. Turner moved that it be recommitted to the committee on roads and bridges, with general instructions, which was agreed to.

The following entitled bills were severally read the third time and passed, viz:

A bill to vacate the village plat of the village of Bloominggrove, in the county of Berrien;

A bill to amend an act entitled an act to amend the revised stat.



utes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847; and

A bill to provide for the service of writings, processes and notices in certain cases upon persons in the employ of certain corporate companies.

The bill to amend sections thirty-one and fifty-two of chapter twenty of the revised statutes of 1846, was read the third time and passed, and

On motion of Mr. Hawley,

The title was amended by striking out the words "sections thirty-one and" and by inserting "section."

The bill to incorporate the Trenton and Ypsilanti plank road company was read the third time and passed by a two thirds vote as follows:

YEAS.

Mr. Allen,	Mr. Earl,	Mr. Morton,
Andrews,	Fox,	Mulhollen,
Bacon,	Haight,	O'Malley,
Belding,	Hammond,	Pennoyer,
Burk,	Harger,	Salzer,
Cady,	Hatch,	Smith,
Chittenden,	Hawley,	Stevens,
Coe,	Hobart,	Stoddard,
Coman,	Holmes,	Tilden,
O. C. Comstock,	Kilborn,	J. W. Turner,
Curtis,	Lovell,	Waite,
David,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,
Dayton,	Moffatt,	Speaker,
Deming,		

44

NAYS.

6

The following entitled bills were severally read the third time and each passed by a two-thirds vote, viz:

A bill to incorporate the Ray and Almont plank road company; and

A bill to incorporate the Lansing coal company.

The House then resolved itself into committee of the whole on the general order, Mr. J. W. Turtier in the chair, and after spending some time thereon, the committee rose, and by their chairman reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the North American health insurance company;

A bill to vacate a certain part of the village plat of the village of Tekonsha, in the county of Calhoun;

A bill to incorporate the St. Joseph river navigation company;

A bill to authorize the supervisors of the county of Ionia to build a free bridge across the Grand river at Saranac, in the township of Boston, and for other purposes;

A bill to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848;

A joint resolution authorizing the Auditor General to draw certain warrants; and

A joint resolution relative to certain state property.

And also reported back without amendment,

A joint resolution in relation to a settlement with the Palmyra and Jacksonburg railroad company, which joint resolution was ordered to be read the third time.

The amendments reported by the committee of the whole to the bill to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848; and

To the joint resolution relative to certain state property,

Were severally concurred in, and the bill and joint resolution were ordered to be engrossed and read the third time.

The amendment reported to the bill to incorporate the North American health insurance company, was non-concurred in.

On motion of Mr. Hawley,

The second section of the bill was amended by striking out all after the word "company," in the sixth line, and inserting, "to be paid in gold or silver."

On motion of Mr. Deming,

The fifteenth section of the bill was stricken out.

Mr. McNeil moved that the bill be laid on the table, which motion was lost, and it was ordered to be engrossed and read the third time.

On motion of Mr. O. C. Comstock,

The House adjourned.

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*Tuesday, March 20, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. M. S. Gillett, Mosher and Tuttle were absent on leave.

Mr. Chittenden presented the remonstrance of Alfred Williams and others, against any alteration of the corporate limits of the village of Pontiac; referred to the committee on banks and incorporations.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom were referred the following entitled bills, reported the same back without amendment and recommended their passage; viz :

A bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company;

A bill to incorporate the Pontiac and Waterford plank road company;

A bill to incorporate the St. Clair plank road company; and

A bill to incorporate the Saginaw and Grand river canal company;

Which report was accepted and the committee discharged from the further consideration of the subjects, and the bills were referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, to whom was referred the bill to incorporate the village of St. Mary, reported the same back without amendment, and recommended its passage; which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Campbell, from the committee on internal improvement, to whom was referred the Senate bill for the improvement of Flat river, reported the same back with an amendment, and asked to be discharged from its further consideration; which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Davis, from the committee on roads and bridges, to whom was referred the Senate bill appropriating certain non-resident highway taxes for the improvement of the Pontiac and Grand river road,

reported the same back without amendment, and recommended its passage; which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Davis, from the same committee, to whom was recommitteed the bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848, reported the same back with an amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Davis, from the same committee, to whom was referred the bill appropriating certain non-resident taxes for the improvement of a road from Howell to Pontiac, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Kilborn, from the committee on public lands, to whom were referred the petitions of Joseph Grey and others, of Oakland county, for authority to purchase certain university lands; of James Dunham and seven others, for the extension of the law of 1843, relative to university lands; and of Henry Simmonds and others, for a reduction in the price of university lands, reported adverse to the prayer of the petitions, and asked to be discharged from their further consideration, which report was accepted and the committee discharged.

Mr. Chittenden, from the committee on banks and incorporations, reported a bill to amend act number sixty-eight of the session laws of 1837, and act number eighty-nine of the session laws of 1842, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the majority of the committee on the judiciary, reported a bill relative to the admission of attorneys, solicitors and counsellors, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, made the following report, which was accepted and the committee discharged from the further consideration of the subject, viz:

The committee on the judiciary to whom was referred the petition of John L. Armstrong, and sundry other inhabitants of Oakland county, asking for the passage of a law providing for the settlement of all claims to damages for flowing certain lands in the township of Milford, and to prevent all suits in relation thereto, after such settlement, have had the same under consideration, and instruct me, as their chairman, to report: that in the opinion of the committee, it would be unsafe to base any legislative action upon an *ex parte* application; that without a full knowledge of all the facts and circumstances of the case, with the names and rights of the respective parties, it would be difficult, if not impossible, to prepare a bill that might not interfere with the vested rights of parties concerned, and trample upon justice. That it is doubtful at the best, whether the legislature have the power to grant the relief sought, even were all the facts and circumstances, and the rights of parties known. The committee therefore, deem it not advisable to take any legislative action upon the matter, and I am accordingly instructed to report adverse to the prayer of the petitioners, and to ask that the committee may be discharged from the further consideration of the subject.

Mr. O. C. Comstock, from the committee on education, to whom was referred the petition of Sloan Cooley and others, for the dissolution of a certain school district in Oakland county, reported the same back without action, which report was accepted and the committee discharged from the further consideration of the subject.

Mr. G. B. Turner, from the committee on claims, to whom was referred the Senate joint resolution relative to the claim of Doty & Abbot, reported the same back without action, which report was accepted and the committee discharged from the further consideration of the subject, and the joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolutions were correctly engrossed, viz:

A bill to incorporate the North American health insurance company;

A bill to amend an act to incorporate the Dexter and Michigan plank company, approved April 3, 1848: and

A joint resolution relative to certain state property.

The following communication was received from the Executive:

EXECUTIVE OFFICE,  
Lansing, March 19, 1849.

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the payment of officers attending on the court of chancery;

An act to change the name of Augustus Kendricks;

An act to vacate a portion of the plat of the village of Berrien, in the county of Berrien; also,

A joint resolution relative to the distribution of the session laws, journals and documents of the legislature of 1849.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 20, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that Senate have concurred therein, viz:

A bill to incorporate the Decatur, Lawrence and Breedsville plank road company;

A bill to incorporate the Monroe and Newport plank road company;

A bill to incorporate the Tecumseh and Dundee plank road company; and

A bill to incorporate the Battle Creek and Dry Prairie plank road company.

Also, the following entitled bills and concurrent resolution, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the Niles and Mottville plank road company;

A bill to establish a State Normal school; and a

Concurrent resolution fixing the day of adjournment.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to incorporate the Decatur, Lawrence and Breedsville plank road company;

The bill to incorporate the Monroe and Newport plank road company;

The bill to incorporate the Tecumseh and Dundee plank road company; and

The bill to incorporate the Battle Creek and Dry Prairie plank road company,

Were ordered to be enrolled.

The Senate amendments to the bill to incorporate the Niles and Mottville plank road company, was concurred in by a two-thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Earl,	Mr. McNeil,	
Bacon,	Flower,	Moffatt,	
Belding,	Giddings,	Morton,	
Bowne,	A. Gillet,	O'Malley,	
Buck,	Haight,	Parkhurst,	
Burk,	Hammond,	Pennoyer,	
Cady,	Harger,	Smith,	
Campbell,	Hobart,	St. Clair,	
Chamberlain,	Holmes,	Stevens,	
Coe,	Ingersoll,	Stoddard,	
Coman,	Kilborn,	Tilden,	
Curtis,	Lovell,	Waite,	
Dayton,	Matthews,	Wilkinson,	
Deming,	McNair,	Speaker,	42

NAYS.

Mr. Allen,	Mr. Davis,	Mr. Hatch,	
H. H. Comstock,	Fox,	Turrill,	
David,			7

And the bill as amended was ordered to be enrolled.

The Senate amendments to the bill to establish a state Normal school, were concurred in, in gross, and the bill as amended was ordered to be enrolled.

The concurrent resolution fixing the day of adjournment was taken up, when

Mr. Ingersoll moved that it be laid on the table, which motion was lost, by the following vote:

YEAS.

Mr. Haight,	Mr. Lovell,	Mr. Morton,	
Ingersoll,	Matthews,		5
70			

## NAYS.

Mr. Allen,	Mr. Earl,	Mr. Moran,
Andrews,	Ferguson,	Mulhollen,
Belding,	Fox,	O'Malley,
Bowne,	Flower,	Pennoyer,
Buck,	A. Gillet,	Salzer,
Burk,	Hammond,	Smith,
Cady,	Harger,	St. Clair,
Campbell,	Hartsuff,	Stevens,
Chamberlain,	Hatch,	Stoddard,
Coman,	Hawley,	Tilden,
H. H. Comstock,	Hobart,	G. B. Turner,
O. C. Comstock,	Holmes,	J. W. Turner,
Curtis,	Kilborn,	Turrill,
David,	Lockwood,	Wilkinson,
Davis,	McNair,	Wright,
Dayton,	McNeil,	Speaker, 50
Deming,	Moffatt,	

The question then being on concurring in the Senate amendment to the concurrent resolution, which amendment strikes out the words "Tuesday, the twentieth day of March," and inserts in lieu thereof the words "Monday, the second day of April,"

Mr. Harger moved to amend the amendment by substituting for the words proposed to be inserted, the words "Wednesday, the twenty-eight day of March."

Pending which,

Mr. Giddings moved that the resolutions be referred to the committee of the whole and placed on the general order, which motion was decided in the negative, by yeas and nays, as follows:

## YEAS.

Mr. Chittenden,	Mr. Giddings,	Mr. Matthews,
H. H. Comstock,	Ingersoll,	Morton,
Dayton,	Lovell,	Tilden, 9

## NAYS.

Mr. Allen,	Mr. Ferguson,	Mr. Moran,
Andrews,	Fox,	Mulhollen,
Bacon,	A. Gillet,	O'Malley,
Belding,	Haight,	Parkhurst,
Bowne,	Hammond,	Pennoyer,
Buck,	Harger,	Smith,
Burk,	Hartsuff,	St. Clair,
Cady,	Hatch,	Stevens,
Campbell,	Hawley,	Stoddard,
Chamberlain,	Hobart,	G. B. Turner,
Coman,	Holmes,	J. W. Turner,



O. C. Comstock,	Kilborn,	Turrill,
Curtis,	Lockwood,	Waite,
David,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,
Deming,	Moffatt,	Speaker,
Earl,		

49.

Mr. Davis moved the previous question, which was demanded, and the main question was ordered to be now put.

The question then being on the amendment moved by Mr. Harger, it was rejected.

The Senate amendment was then concurred in, by yeas and nays, as follows :

YEAS.

Mr. Andrews,	Mr. Ferguson,	Mr. Mulhollen,
Bacon,	Fox,	O'Malley,
Belding,	Flower,	Parkhurst,
Bowne,	Giddings,	Pennoyer,
Buck,	Haight,	Salter,
Burk,	Hammond,	St. Clair,
Campbell,	Harger,	Stevens,
Coe,	Hatch,	Stoddard,
Coman,	Hawley,	Tilden,
H. H. Comstock,	Hobart,	G. B. Turner,
O. C. Comstock,	Holmes,	J. W. Turner,
Curtis,	Kilborn,	Turrill,
David,	Lockwood,	Waite,
Davis,	McNeil,	Wright,
Dayton,	Moffatt,	Speaker,
Earl,	Moran,	

47.

NAYS.

Mr. Allen,	Mr. Deming,	Mr. McNair,
Chamberlain,	Ingersoll,	Smith,
Chittenden,	Lovell,	Wilkinson,

9.

Mr. Hammond, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the election of a board of state auditors, which was read twice and referred to the committee on state affairs.

Mr. Giddings, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Galesburg and Grand Rapids plank road company, which was read twice and referred to the committee of the whole, placed on the general order and ordered to be printed.

On motion of Mr. G. B. Turner,

The committee of the whole were discharged from the further consideration of the bill to improve the navigation of the St. Joseph river and to incorporate the Niles hydraulic and manufacturing company, and the bill was re-committed to the committee on banks and incorporations, with general instructions.

Mr. Chittenden gave notice that on some future day he would at leave to introduce a bill to lay out a certain state road.

On motion of Mr. J. W. Turner,

The joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers and other records, in the offices of the state Treasurer, Auditor General and Commissioner of the state land office, and the office of the Agent of the state prison, since the year 1840, together with the substitute therefor, was taken from the table; and

The question being on the adoption of the substitute, it was decided in the affirmative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Davis,	Mr. Matthews,
Andrews,	Deming,	Morton,
Bacon,	Harger,	O'Malley,
Belding,	Hartsuff,	Stevens,
Bowne,	Hatch,	Stoddard,
Burk,	Hawley,	G. B. Turner,
H. H. Comstock,	Holmes,	J. W. Turner,
O. C. Comstock,	Kilborn,	Wilkinson,
David,	Lockwood,	Wright, 27

## NAYS.

Mr. Buck,	Mr. Earl,	Mr. Mulhollen,
Cady,	Ferguson,	Parkhurst,
Campbell,	Giddings,	Pennoyer,
Chamberlain,	A. Gillet,	Salyer,
Chittenden,	Haight,	St. Clair,
Coe,	Ingersoll,	Tilden,
Coman,	Lovell,	Waite,
Curtis,	Moffatt,	Speaker 24

The resolution was then ordered to be engrossed and read the third time.

The bill to incorporate the North American health insurance company was read the third time and passed by a two-thirds vote.

The bill to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848, was read the third time and passed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. McNair,
Andrews,	Earl,	Moffatt,
Belding,	Flower,	Morton,
Bowne,	A. Gillet,	Mulhollen,
Buck,	Haight,	Pennoyer,
Cady,	Hartsuff,	Smith,
Campbell,	Hawley,	St. Clair,
Coe,	Hobart,	Stevens,
Coman,	Holmes,	Tilden,
O. C. Comstock,	Ingersoll,	J. W. Turner,
Curtis,	Kilborn,	Waite,
David,	Lovell,	Wilkinson,
Dayton,	Matthews,	Speaker, 39.

## NAYS.

Mr. Harger,	Mr. G. B. Turner,	Mr. Wright,
Parkhurst,		

4.

The joint resolution in relation to a settlement with the Palmyra and Jacksonburg railroad company, and

The joint resolution relative to certain state property,

Were severally read the third time and passed.

The House having arrived at the order of unfinished business, took up the joint resolution authorizing the Auditor General to draw certain warrants, and the amendment reported thereto by the committee of the whole was non-concurred in.

On motion of G. B. Turner,

The following words were added to the resolution: "Provided: said bond shall be approved by the Auditor General and State Treasurer."

The joint resolution was then ordered to be engrossed and read the third time.

The bill to authorize the supervisors of the county of Ionia to build a free bridge across the Grand river at Saranac, in the township of Boston, and for other purposes, was taken up, and the amendment reported thereto by the committee of the whole, striking out the second section, was non-concurred in, by yeas and nays, as follows.

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. Salyer,
Andrews,	Haight,	Smith,
Bacon,	Harger,	G. B. Turner,
Campbell,	Holmes,	J. W. Turner,

Chamberlain,  
Chittenden,  
Davis,

McNair,  
McNeil,  
Moran,

Wilkinson,  
Speaker,

20

# YEA.

Mr. Belding,  
Buck,  
Coe,  
Coman,  
O. C. Comstock,  
David,  
Dayton,  
Ferguson,  
Fox,  
Giddings,

Mr. A. Gillet,  
Hammond,  
Hartsuff,  
Hatch,  
Hawley,  
Hobart,  
Lockwood,  
Lovell,  
Matthews,

Mr. Moffatt,  
Morton,  
Mulhollen,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
Turrill,  
Waite,

21

On motion of Mr. Lovell,

The following proviso was added to section two: "*Provided also, still further, That no selection of the said one thousand acres of internal improvement lands shall be made by the said supervisors, until all appropriations of internal improvement lands heretofore made, shall have been fully expended and paid.*"

Mr. J. W. Turner moved that all after the enacting clause of the bill be stricken out, which motion was lost, by the following vote:

# YEA.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Chamberlain,  
Davis,  
Deming,

Mr. Earl,  
Fox,  
Haight,  
Harger,  
Holmes,  
McNair,  
McNeil,

Mr. Parkhurst,  
Salzer,  
G. B. Turner,  
J. W. Turner,  
Wilkinson,  
Speaker,

20

# NAYS.

Buck,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
O. C. Comstock,  
Curtis,  
David,  
Dayton,

Mr. Giddings,  
A. Gillet,  
Hammond,  
Hartsuff,  
Hawley,  
Hobart,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,

Mr. Moffatt,  
Moran,  
Mulhollen,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
Turrill,  
Waite,

30

The question then being on ordering the bill to be engrossed and read the third time, it was decided in the affirmative, by yeas and nays, as follows,

## YEAS.

Mr. Buck,	Mr. Hartsuff,	Mr. Morton,
Chittenden,	Hawley,	Mulhollen,
Coe,	Hobart,	Pennoyer,
Coman,	Kilborn,	Smith,
O. C. Comstock,	Lockwood,	St. Clair,
David,	Lovell,	Stevens,
Dayton,	Matthews,	Stoddard,
Giddings,	Moffatt,	Tilden,
A. Gillet,	Moran,	Waite,
Hammond,		

26

## NAYS.

Mr. Allen,	Mr. Davis,	Mr. McNair,
Bacon,	Deming,	McNeil,
Belding,	Ferguson,	Parkhurst,
Bowne,	Fox,	Pennoyer,
Burk,	Harger,	Smith,
Chamberlain,	Hobart,	G. B. Turner,
Chittenden,	Ingersoll,	Wilkinson,
David,	Kilborn,	Wright,

24

The bill to vacate a certain part of the village plat of the village of Tekonsha, in the county of Calhoun, was taken up, and the amendments reported thereto by the committee of the whole, were severally concurred in, and the bill was ordered to be read the third time.

The bill to incorporate the St. Joseph river navigation company was taken up, and the amendment reported thereto by the committee of the whole, was non-concurred in.

Mr. Chittenden moved that the bill be laid on the table, which motion was lost; and

It was ordered to be engrossed and read the third time.

Mr. J. W. Turner moved that the House adjourn, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Buck,	Mr. Giddings,	Mr. Parkhurst,
Coe,	Holmes,	St. Clair,
Coman,	Matthews,	Stoddard,
O. C. Comstock,	McNeil,	Tilden,
Dayton,	Moffatt,	J. W. Turner,
Earl,	Morton,	Turrill,
Flower,		

19

## NAYS.

Mr. Allen,	Mr. Davis,	Mr. Lovell,
Andrews,	Deming,	McNair,
Bacon,	Ferguson,	Moran,
Belding,	Fox,	Mulhollen,

Bowne,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Chittenden,  
H. H. Comstock,  
Curtis,  
David,

A. Gillet,  
Haight,  
Hammond,  
Harger,  
Hatch,  
Hawley,  
Hobart,  
Kilborn,

Pennoyer,  
Salyer,  
Smith,  
Stevens,  
G. B. Turner,  
Waite,  
Wilkinson,  
Speaker;

37

On motion of Mr. J. W. Turner,

A call of the House was had, when Messrs. Ingersoll, Lockwood, O'Malley and Wright were absent without leave.

Mr. J. W. Turner moved that the Sergeant-at-Arms be sent for the absentees, which motion prevailed.

After a short time the Sergeant-at-Arms returned with the absentees, when

On motion of Mr. G. B. Turner,

All further proceedings under the call were dispensed with.

Mr. Hawley moved that the House adjourn, which motion was decided in the affirmative, by yeas and nays, as follows :

## YEAS.

Mr. Andrews,  
Buck,  
Cady,  
Campbell,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Curtis,  
Dayton,  
Earl,  
Flower,

Mr. Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Hartsuff,  
Hawley,  
Holmes,  
Lockwood,  
Lovell,  
Matthews,  
Moffatt,  
Moran,

Mr. Morton,  
Mulhollen,  
O'Malley,  
Salyer,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
J. W. Turner,  
Turrill,  
Waite,  
Speaker,

36

## NAYS.

Mr. Allen-  
Bacon,  
Belding,  
Bowne,  
Burk,  
Chamberlain,  
Chittenden,  
David,

Mr. Davis,  
Deming,  
Ferguson,  
Fox,  
Harger,  
Hobart,  
Ingersoll,  
Kilborn,

Mr. McNair,  
McNeil,  
Parkhurst,  
Pennoyer,  
Smith,  
G. B. Turner,  
Wilkinson,  
Wright,

24

So the House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Bowne moved a call of the House, which was had; when Mr. Turrill was absent without leave.

On motion of Mr. Giddings,

All further proceedings under the call were dispensed with.

The House then took up for consideration the special order of the day, being

The bill to amend an act entitled an act to authorize the sale of the Southern railroad, and to incorporate the Michigan southern railroad company, which had been returned to the Senate, where it originated, by the Governor, with his objections, and which had been passed by the Senate, notwithstanding said objections, and the question being on the passage of the bill, after some discussion,

Mr. Wright moved an adjournment, which motion was decided in the negative, by the following vote:

YEAS.

Mr. Allen,  
Andrews,  
Bowne,  
Bark,  
Cady,  
Campbell,  
Curtis,  
Fox,

Mr. Flower,  
Hatch,  
Hawley,  
Holmes,  
McNeil,  
Moffat,  
Moran,

Mr. O'Malley,  
Parkhurst,  
Pennoyer,  
Stevens,  
Turrill,  
Tuttle,  
Wright,

22.

NAYS.

Mr. Bacon,  
Belding,  
Buck,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Davis,  
Dayton,  
Deming,

Mr. Earl,  
Ferguson,  
Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hobart,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,

Mr. Matthews,  
McNair,  
Mulhollen,  
Salyer,  
St. Clair,  
Stoddard,  
Tilden,  
G. B. Turner,  
J. W. Turner,  
Waite,  
Wilkinson,  
Speaker,

38

Mr. Davis moved the previous question, which was not demanded, by the following vote:

## YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Bowne,  
Burk,  
Chamberlain,

Mr. Chittenden,  
Curtis,  
Davis,  
Deming,  
Fox,  
Harger,  
Hatch,

Mr. Hawley,  
McNair,  
Moffatt,  
Tilden,  
G. B. Turner,  
Wilkinson,

20

## NAYS.

Mr. Buck,  
Cady,  
Campbell,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Dayton,  
Earl,  
Ferguson,  
Flower,  
Giddings,  
A. Gillet,

Mr. Haight,  
Hammond,  
Hartsuff,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNeil,  
Moran,  
Morton,

Mr. Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Salyer,  
St. Clair,  
Stoddard,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wright,  
Speaker,

40

Mr. Hawley moved an adjournment, but the House refused to adjourn.

After some further debate,

On motion of Mr. Buck,

The House adjourned.

*Wednesday, March 21, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. M. S. Gillett and Mosher were absent on leave.

The following message was received from the Senate:

SENATE CHAMBER, }  
*Lansing, March 21, 1849.*

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bill and joint resolutions, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:



A bill to provide for the support and maintenance of the state prison at Jackson, and for the completion of the main building thereof:

Joint resolution relative to the claim of James Parshall, and

Joint resolution authorizing the board of state auditors to settle and examine the claim of Thomas B. W. Stockton.

I am further instructed to return herewith the following entitled bill, and to respectfully inform you that the Senate have concurred therein:

A bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale.

Also, the following entitled bill, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked, viz:

A bill to authorize James S. Pitts to convey real estate.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale, was ordered to be enrolled.

The Senate bill to provide for the support and maintenance of the state prison at Jackson, and for the completion of the main building thereof, was read twice and referred to the committee on the state prison.

The Senate joint resolution authorizing the board of state auditors to examine and settle the claim of Thomas B. W. Stockton, and

The Senate joint resolution relative to the claim of James Parshall,

Were severally read twice and referred to the committee on claims.

The Senate amendment to the bill to authorize James S. Pitts to convey real estate, was concurred in, and the bill as amended was ordered to be enrolled.

On motion of Mr. Coe,

*Resolved*, That the resolution heretofore adopted, requiring all committees to report upon all matters committed to their charge on or before the twentieth instant, be rescinded.

On motion of Mr. Hammond,

Leave was granted to withdraw from the files of the House, the

petitions asking for the vacation of the county seat of Shiawassee county.

On motion of Mr. Fox,

Leave was granted to withdraw from the files of the House, the remonstrance against the vacation of the county seat of Shiawassee county, and the petition and papers relative to the claim of James Monroe.

On motion of Mr. Tilden,

Leave was granted to withdraw from the files of the House, the papers relative to the claim of W. W. Clarke.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to authorize certain Indians to convey lands in the county of Allegan;

A bill to incorporate the Monroe and Newport plank road company;

A bill to incorporate the Temple building company of Battle Creek; and

A bill to incorporate the Battle Creek and Dry Prairie plank road company.

Mr. Parkhurst, from the same committee, reported as correctly engrossed;

A bill to authorize the supervisors of the county of Ionia to build a free bridge across the Grand river, at Saranac, in the township of Boston, and for other purposes;

A bill to incorporate the St. Joseph river navigation company;

A joint resolution authorizing the Auditor General to draw certain warrants; and

A joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers, and other records in the offices of the State Treasurer, Auditor General and commissioner of the state land office, and the office of the agent of the state prison, since the year 1840.

Mr. Pennoyer moved that the committee of the whole be discharged from the further consideration of the bill to suppress monopolies and repeal obnoxious laws, which motion was lost.

On motion of Mr. H. H. Comstock,

The committee of the whole were discharged from the further consideration of the bill to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego.

On motion of Mr. H. H. Comstock,

The bill was amended by adding the following section:

Sec. 3. This act shall take effect and be in force from and after its passage.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Waite,

The committee of the whole were discharged from the further consideration of the bill to provide for laying out a state road from the township of Ingham, in the county of Ingham, to the village of Dexter, in Washtenaw county, and

The bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Lovell,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. Chittenden, pursuant to previous notice, asked and obtained leave to introduce a bill to lay out a certain state road, which was read twice, and referred to the committee on roads and bridges.

The following entitled bills and joint resolution were severally read the third time and passed, viz:

A bill to authorize the supervisors of the county of Ionia, to build a free bridge across the Grand river, at Saranac, in the township of Boston, and for other purposes;

A bill to provide for laying out a state road from the township of

Ingham, in the county of Ingham, to the village of Dexter, in Washenaw county;

A bill to amend an act entitled an act to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river, at Grand Rapids—approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849; and

A joint resolution authorizing the Auditor General to draw a certain warrant.

The bill to vacate a certain part of the village plat of the village of Tekonsha, in the county of Calhoun, was read the third time and passed, and.

On motion of Mr. Pennoyer,

The title was amended by substituting therefor the following: A bill to vacate certain village plats and portions of plats in the counties of Calhoun, Ingham, and Ottawa.

The bill to incorporate the St. Joseph river navigation company, was read the third time and passed by a two-thirds vote.

The joint resolution relative to the appointment of a committee to sit and examine accounts, vouchers, and other records in the offices of the State Treasurer, Auditor General, and commissioner of the state land office, and the office of the agent of the state prison, since the year 1840, was read the third time, when

Mr. Ingersoll moved that it be recommitted to the committee on state affairs, with instructions to amend the same so as to be in the following form, viz:

*Resolved by the Senate and House of Representatives of the State of Michigan,* That a committee of five be appointed, two on the part of the Senate, to be elected by the Senate, and three on the part of the House, to be elected by the House, to sit and examine at some time during the recess of the legislature, all accounts, vouchers and other records in the offices of the State Treasurer, Auditor General, commissioner of the state land office, and the office of the agent of the state prison, and all matters connected with these departments since and including the year 1840, and that such committee be authorized to send for persons and papers, and compel the attendance of persons, administer oaths to witnesses, and make a report of their doings to the

next legislature; and they shall receive for their services the same as members of the legislature are allowed by law.

Which motion was decided in the negative, by the following vote:

YEAS.

Mr. Buck,	Mr. Hammond,	Mr. Parkhurst,
Chamberlain,	Hobart,	Jalver,
Coe,	Ingersoll,	Tilden,
Davis,	Kilborn,	Turrill,
Dayton,	Lovell,	Vaite,
A. Gillet,	Moffatt,	Speaker,
Haight,	Mulhollen,	20

NAYS.

Mr. Allen,	Mr. Deming,	Mr. Morton,
Andrews,	Earl,	O'Malley,
Bacon,	Ferguson,	Pennoyer,
Belding,	Fox,	Smith,
Burk,	Flower,	St. Clair,
Cady,	Harger,	Stevens,
Campbell,	Hartsuff,	Stoddard,
Chittenden,	Hatch,	G. B. Turner,
Coman,	Hawley,	J. W. Turner,
H. H. Comstock,	Holmes,	Tuttle,
O. C. Comstock,	Lockwood,	Wilkinson,
Curtis,	McNair,	Wright,
David,	McNeil,	28

Mr. Fox moved that the joint resolution be committed to the committee on the judiciary, with instructions to amend the same so as to allow the committee to sit during the recess of the legislature, and to report at the next session,

Pending which,

Mr. Cady moved that the further consideration of the whole subject be indefinitely postponed, which motion prevailed, by the following vote:

YEAS.

Mr. Andrews,	Mr. Dayton,	Mr. Matthews,
Belding,	Earl,	McNeil,
Burk,	Fox,	O'Malley,
Cady,	Flower,	Parkhurst,
Campbell,	Haight,	Pennoyer,
Chittenden,	Harger,	Stevens,
Coman,	Hartsuff,	Tilden,
O. C. Comstock,	Hawley,	Tuttle,
Curtis,	Holmes,	Wilkinson,
David,	Kilborn,	Wright,
Davis,		

## NAYS.

Mr. Allen,	Mr. Hammond,	Mr. Salyer,
Bacon,	Hatch,	St. Clair,
Buck,	Hobart,	Stoddard,
Chamberlain,	Ingersoll,	G. B. Turner,
Coe,	Lovell,	J. W. Turner,
H. H. Comstock,	McNair,	Turrill,
Deming,	Moffatt,	Waite,
Giddings,	Morton,	Speaker,
A. Gillet,	Mulhollen,	

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Mr. David, from the committee on roads and bridges, to whom was referred the State bill authorizing an appropriation to aid in the construction of a bridge across Grand river, at Portland, in the county of Ionia, by unanimous consent, reported the same back without amendment, and recommended that it be not passed, which report was accepted as the committee discharged from the further consideration of the subject, and the bill was placed on the file of bills reported against.

Mr. Kiborn by unanimous consent, introduced a bill to provide for the appointment of county judge for Ingham county, which was read twice, and

On motion of Mr. H. H. Comstock,

Amended by inserting the words "by and with the advice and consent of the Senate," after "appoint," in the third line of section one.

The bill was then ordered to be engrossed and read the third time, and the engrossment being dispensed with,

It was read the third time and passed.

The House having arrived at the order of unfinished business, took up the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, and the question being on its passage,

After some discussion,

On motion of Mr. G. B. Turner,

The House adjourned.

## AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker, and

Resumed the consideration of the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, and the question being on its passage,

Mr. Bowne moved the previous question, which was demanded, by yeas and nays, as follows:

YEAS.

Mr. Bacon,	Mr. Deming,	Mr. Moffatt,
Belding,	Earl,	Moran,
Bowne,	Fox,	Mulhollen,
Buck,	Flower,	Pennoyer,
Burk,	Haight,	Salter,
Cady,	Hammond,	Smith,
Campbell,	Harger,	St. Clair,
Chamberlain,	Hartsuff,	Stevens,
Coe,	Hatch,	Stoddard,
Coman,	Hawley,	Tilden,
O. C. Comstock,	Hobart,	G. B. Turner,
Curtis,	Holmes,	Turrill,
David,	Lockwood,	Tuttle,
Davis,	McNair,	Wilkinson,
Dayton,	McNeil,	

44

NAYS.

Mr. Andrews,	Mr. Ingersoll,	Mr. Parkhurst,
Chittenden,	Kilborn,	J. W. Turner,
H. H. Comstock,	Lovell,	Waite,
Ferguson,	Matthews,	Wright,
A. Gillet,	Morton,	Speaker,

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The main question was ordered to be now put.

And the main question being on the passage of the bill, was decided in the negative, by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Allen,	Mr. Haight,	Mr. Morton,
Buck,	Hammond,	Mulhollen,
Campbell,	Hartsuff,	O'Malley,
Chittenden,	Hobart,	Salter,
Coe,	Holmes,	St. Clair,
Coman,	Ingersoll,	Stevens,
H. H. Comstock,	Kilborn,	Stoddard,
O. C. Comstock,	Lockwood,	Tilden,
David,	Lovell,	J. W. Turner,
Dayton,	Matthews,	Turrill,
Earl,	McNeil,	Waite,
Giddings,	Moran,	Speaker,
A. Gillet,		

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37

## NAYS.

Mr. Andrews,  
Bacon,  
Belding,  
Bowne,  
Burk,  
Cady,  
Chamberlain,  
Curtis,  
Davis,

Mr. Deming,  
Ferguson,  
Fox,  
Flower,  
Harger,  
Hatch,  
Hawley,  
McNair,

Mr. Moffatt,  
Parkhurst,  
Pennoyer,  
Smith,  
G. B. Turner,  
Tuttle,  
Wilkinson,  
Wright,

25

The House then resolved itself into committee of the whole, Mr. Salyer in the chair, and after spending some time thereon, the committee rose and by their chairman reported back without amendment,

A bill for the dissolution of a certain school district in the county of Oakland; and

Also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent, and making appropriations therefor.

On motion of Mr. Chamberlain,

The House adjourned.

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*Thursday, March 22, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. M. S. Gillett and Mosher were absent on leave, and Mr. Allen was absent without leave.

Mr. Ingersoll asked and obtained leave of absence for Mr. Allen for the day.

Mr. J. W. Turner, from the committee on banks and incorporations; to whom was re-committed the bill to improve the navigation of the St. Joseph river and to incorporate the Niles hydraulic and manufacturing company, reported the same back with sundry amendments, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.



Mr. Pennoyer, from the majority of the committee on ways and means, to whom was referred the bill to create a state board of equalization, and to apportion the state tax among the several counties of the state, reported the same back with an amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. G. B. Turner, from the committee on claims, to whom was referred the Senate joint resolution authorizing the board of state auditors to examine the claim of Thomas B. W. Stockton, and

The joint resolution relative to the claim of James Parshall,

Reported the same back without amendment, and recommended that they be not passed, which report was accepted and the committee discharged from the further consideration of the subject, and the joint resolutions were placed on the file of bills reported against.

Mr. Davis, from the committee on roads and bridges, to whom was referred the bill to lay out a certain state road, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. O. C. Comstock, from the committee on the state prison, to whom was referred the Senate bill to provide for the support and maintenance of the state prison at Jackson, and for the completion of the main building thereof, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported as correctly engrossed the bill to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to incorporate the Tecumseh and Dundee plank road company;

A bill to incorporate the Decatur, Lawrence and Breedsville plank road company;

A bill to incorporate the Niles and Mottville plank road company; and

A bill to authorize James S. Pitts to convey real estate.

Mr. Fox, from the select committee appointed to visit the state prison, submitted a written report, which was accepted and the committee discharged.

On motion of Mr. G. B. Turner,

The report was laid on the table, and seven hundred copies ordered to be printed.

The following message was received from the Executive.

EXECUTIVE OFFICE, }  
Lansing, March 21, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to incorporate the Monroe and Newport plank road company;

An act to authorize certain Indians to convey lands in the county of Allegan;

An act to incorporate the Battle Creek and Dry Prairie plank road company; and

An act to incorporate the Temple building company of Battle Creek.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 22, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to incorporate the Trenton and Ypsilanti plank road company; and

A bill to incorporate the Ray and Almont plank road company;

Also the following entitled bills, which the Senate have passed with amendments in which the concurrence of the House is respectfully asked, viz:

A bill to provide for the appointment of a county judge for the county of Ingham;

A bill to incorporate the Monroe and Belleville plank road company;

A bill to incorporate the Lansing coal company; and

A bill to extend for a limited time the charter of the Farmers' and Mechanics' bank of Michigan.

Also, a bill to amend the revised statutes of 1846, relative to university lands, and to respectfully inform you that the Senate have non-concurred therein.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to amend chapter twenty of the revised statutes;

A bill to provide for settling the damages occasioned by the erection of dams for mills, when the waters thereof overflow adjacent lands; and

A bill to consolidate the laws in relation to county courts, and for other purposes.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to incorporate the Trenton and Ypsilanti plank road company, and

The bill to incorporate the Ray and Almont plank road company, Were ordered to be enrolled.

The Senate bill to amend chapter twenty of the revised statutes, was read twice and referred to the committee on ways and means.

The following entitled Senate bills were severally read twice and referred to the committee on the judiciary, viz:

A bill to consolidate the laws in relation to county courts, and for other purposes; and

A bill to provide for settling the damages occasioned by the erection of dams for mills, where the waters thereof overflow adjacent lands.

The bill to extend for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, together with the Senate amendments thereto, being before the House,

Mr. Deming moved that the bill and amendments be laid on the table, and the amendments ordered to be printed, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Bacon,  
Belding,  
Bowne,  
Burk,  
Chamberlain,

Mr. Davis,  
Deming,  
Hartsuff,  
Hatch,

Mr. McNair,  
Pennoyer,  
Smith,  
G. B. Turner,

13

## NAYS.

Mr. Andrews,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Dayton,  
Earl,  
Ferguson,  
Fox,  
Flower,  
Giddings,

Mr. A. Gillet,  
Haight,  
Hammond,  
Harger,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNeil,  
Moffatt,  
Moran,

Mr. Morton,  
Mulhollen,  
O'Malley,  
Salyer,  
St. Clair,  
Stevens,  
Stoddard,  
Tilden,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Wright,  
Speaker,

46

The question then being on the first Senate amendment, which amendment strikes out of the first line of section two, the words "three years," and inserts "one year,"

Mr. Chamberlain moved that the amendment be amended by striking out the words "one year," and inserting "from and after the expiration of the present charter," which motion was lost, by the following vote:

## YEAS.

Mr. Bacon,  
Bowne,  
Burk,  
Chamberlain,  
Coe,  
Curtis,  
Davis,  
Deming,

Mr. Flower,  
Hartsuff,  
Hatch,  
Hawley,  
Holmes,  
McNair,  
McNeil,  
Pennoyer,

Mr. Smith,  
St. Clair,  
G. B. Turner,  
J. W. Turner,  
Waite,  
Wilkinson,  
Wright,

23

## NAYS.

Mr. Andrews,  
Belding,

Mr. Giddings,  
A. Gillet,

Mr. Moran,  
Morton,

Buck,	Haight,	Mulhollen,
Campbell,	Hammond,	O'Malley,
Chittenden,	Harger,	Parkhurst,
Coman,	Hobart,	Salyer,
H. H. Comstock,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	Tilden,
David,	Lovell,	Tuttle,
Dayton,	Matthews,	Speaker,
Fox,	Moffatt,	

32

The question then recurring on concurring in the first Senate amendment to the bill, it was concurred in, by a two-thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Fox,	Mr. Moffatt,
Bacon,	Flower,	Moran,
Belding,	A. Gillet,	Mulhollen,
Buck,	Haight,	O'Malley;
Campbell,	Hammond,	Parkhurst,
Chittenden,	Harger,	Salyer,
Coe,	Hartsuff,	St. Clair,
Coman,	Hawley,	Tilden,
H. H. Comstock,	Hobart,	G. B. Turner,
O. C. Comstock,	Holmes,	Tuttle,
David,	Ingersoll,	Waite,
Davis,	Kilborn,	Wilkinson,
Dayton,	Lovell,	Wright,
Deming,	Matthews,	Speaker,
Earl,	McNeil,	

44

NAYS.

Mr. Bowne,	Mr. Hatch,	Mr. Pennoyer,
Burk,	Lockwood,	Smith,
Chamberlain	McNair,	J. W. Turner, 9

The remainder of the Senate amendments were concurred in, in gross, by a two-thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Haight,	Mr. Morton,
Belding,	Hammond,	Mulhollen,
Buck,	Harger,	O'Malley,
Burk,	Hartsuff,	Parkhurst,
Campbell,	Hatch,	Salyer,
Chittenden,	Hawley,	St. Clair,
Coe,	Hobart,	Stevens,
Coman,	Holmes,	Stoddard,
H. H. Comstock,	Ingersoll,	Tilden,
O. C. Comstock,	Kilborn,	G. B. Turner,
David,	Lockwood,	Turrill,
Dayton,	Lovell,	Tuttle,

Earl,  
Fox,  
Giddings  
A. Gillet,

Matthews,  
McNeil,  
Moffatt,  
Moran,

Waite,  
Wright,  
Speaker,

47

## NAYS.

Mr. Bacon,  
Deming;  
McNair,

Mr. Pennoyer,  
Smith,

Mr. J. W. Turner,  
Wilkinson,

7

The bill was then ordered to be enrolled.

The bill to incorporate the Lansing coal company was taken up, and the question being on concurring in the Senate amendments thereto, the fourth, fifth, sixth, ninth and tenth amendments were severally concurred in, each by a two-thirds vote, and the remainder of the amendments were severally non-concurred in.

The bill to incorporate the Monroe and Belleville plank road company was taken up, and the Senate amendment thereto, was non-concurred in.

The Senate amendment to the bill to provide for the appointment of a county judge for the county of Ingham, was concurred in, and the bill as amended was ordered to be enrolled.

Mr. G. B. Turner moved that the committee of the whole be discharged from the further consideration of the bill to suppress monopolies and to repeal certain obnoxious laws, which motion prevailed, by the following vote;

## YEAS.

Mr. Andrews,  
Bacon,  
Burk,  
Cady,  
Chamberlain,  
Goman,  
O. C. Comstock,  
Curtis,  
Davis,  
Dayton,  
Ferguson,

Mr. Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Hartsuff,  
Hobart,  
Ingersoll,  
Lockwood,  
Lovell,  
Matthews,

Mr. Moffatt,  
Moran,  
Mulhollen,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stoddard,  
G. B. Turner,  
Wilkinson,

31

## NAYS.

Mr. Belding,  
Bowne,  
Chittenden,  
David,  
Deming,  
Earl,  
Fox,

Mr. Flower,  
Hatch,  
Hawley,  
Holmes,  
Kilborn,  
McNair,  
McNeil,

Mr. Tilden,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Speaker,

20

Mr. Hawley moved that the bill be laid on the table, which motion was decided in the affirmative, by yeas and nays, as follows:

YEAS.

Mr. Belding,	Mr. Davis,	Mr. Kilborn,
Buck,	Densing,	Lockwood,
Cady,	Ferguson,	McNair,
Campbell,	Fox,	McNeil,
Chittenden,	Flower,	Moran,
Coe,	Harger,	Mulhollen,
Goman,	Hartsuff,	Tilden,
O. C. Comstock,	Hatch,	J. W. Turner,
Curtis,	Hawley,	Tuttle,
David,	Holmes,	Speaker;

30

NAYS.

Mr. Andrews,	Mr. A. Gillet,	Mr. Salyer,
Bacon,	Haight,	Smith,
Bowne,	Hobart,	St. Clair,
Burk,	Ingersoll,	Stoddard,
Chamberlain,	Lovell,	G. B. Turner,
H. H. Comstock,	Matthews,	Turrill,
Dayton,	Moffatt,	Waite,
Earl,	Pennoyer,	Wilkinson,
Giddings,		

25

Mr. Parkhurst gave notice that he would on some future day ask leave to introduce a bill authorizing Nelson W. Clark, as administrator, and Charlotte Pratt, as administratrix, to convey certain real estate.

On motion of Mr. Hartsuff,

The committee of the whole were discharged from the further consideration of the bill to amend chapter ninety-three of the revised statutes of 1846; and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. G. B. Turner,

The bill to define the jurisdiction of county courts, and for other purposes, was taken from the table, and made the special order for to-morrow.

On motion of Mr. Ferguson,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act to authorize the Governor to issue patents in certain cases, approved April 28, 1846, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. David, from the committee on engrossment and enrollment, reported that a bill to provide for the election of a county judge for Ingham county, was correctly enrolled and was this day presented to the Governor for his approval.

Mr. Ferguson moved a reconsideration of the vote by which the House refused yesterday to pass the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, when

Mr. McNair made the following question of order:

"That the vote sought to be reconsidered by this motion, was the reconsideration of a former vote, and recognized as such by the constitution of the state, and, by a rule of this House, no vote on any subject shall be reconsidered a second time without the unanimous consent of the House."

On motion of Mr. G. B. Turner,

The House adjourned.

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AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Chamberlain moved a call of the House, which was had, when it was found that Messrs. Earl, Hatch, Ingorsoll, Moran, O'Malley, St. Clair, Turrill and Tuttle were absent without leave.

On motion of Mr. Andrews,

The Sergeant-at-Arms was sent after the absentees.

Several of the absentees having returned,

On motion of Mr. J. W. Turner,

All further proceedings under the call, were dispensed with.

The question before the House being on the point of order raised this morning by Mr. McNair,

The Speaker decided the motion to reconsider to be in order.

Mr. G. B. Turner appealed from the decision, and the question being shall the decision of the chair stand as the judgment of the House? it was decided, in the affirmative, by the following vote;



## YEAS.

Mr. Andrews,	Mr. A. Gillet,	Mr. McNeil,
Buck,	Haight,	Morton,
Campbell,	Hammond,	Mulhollen,
Chittenden,	Hartsuff,	O'Malley,
Coe,	Hawley,	St. Clair,
Coman,	Hobart,	Stevens,
H. H. Comstock,	Holmes,	Stoddard,
O. C. Comstock,	Ingersoll,	Tilden,
David,	Kilborn,	J. W. Turner,
Dayton,	Lockwood,	Turrill,
Earl,	Lovell,	Tuttle,
Giddings,	Matthews,	Waite,

36

## NAYS.

Mr. Bacon,	Mr. Davis,	Mr. McNair,
Belding,	Deming,	Moffatt,
Bowne,	Ferguson,	Parkhurst,
Burk,	Fox,	Pennoyer,
Cady,	Flower,	Smith,
Chamberlain,	Harger,	G. B. Turner,
Curtis,	Hatch,	Wilkinson,

21

The question then being on the reconsideration of the vote by which this House refused to pass the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, it was decided in the affirmative, by the following vote:

## YEAS.

Mr. Buck,	Mr. Haight,	Mr. Mulhollen,
Campbell,	Hammond,	O'Malley,
Chittenden,	Hartsuff,	Salzer,
Coe,	Hobart,	St. Clair,
Coman,	Holmes,	Stevens,
H. H. Comstock,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	Tilden,
David,	Lockwood,	J. W. Turner,
Dayton,	Lovell,	Turrill,
Earl,	Matthews,	Waite,
Giddings,	McNeil,	Speaker,
A. Gillet,	Morton,	

35

## NAYS.

Mr. Andrews,	Mr. Davis,	Mr. McNair,
Bacon,	Deming,	Moffatt,
Belding,	Ferguson,	Parkhurst,
Bowne,	Fox,	Pennoyer,
Burk,	Flower,	Smith,
Cady,	Harger,	G. B. Turner,
Chamberlain,	Hatch,	Tuttle,
Curtis,	Hawley,	Wilkinson,

24

Mr. Morton moved that the bill be laid on the table, which motion prevailed by the following vote:

## YEAS.

Mr. Buck,	Mr. Hammond,	Mr. O'Malley,
Campbell,	Hartsuff,	Parkhurst,
Coe,	Hobart,	Salyer,
Coman,	Holmes,	St. Clair,
H. H. Comstock,	Ingersoll,	Stevens,
O. C. Comstock,	Kilborn,	Stoddard,
David,	Lockwood,	Tilden,
Dayton,	Lovett,	J. W. Turner,
Earl,	Matthews,	Turrill,
Giddings,	Morton,	Waite,
A. Gillet,	Mulhollen,	Speaker,
Haight,		

34

## NAYS.

Mr. Andrews,	Mr. Davis,	Mr. McNair,
Bacon,	Deming,	McNeil,
Belding,	Ferguson,	Moffatt,
Bowne,	Fox,	Pannoyer,
Burk,	Flower,	Smith,
Cady,	Harger,	G. B. Turner,
Chamberlain,	Hatch,	Tuttle,
Chittenden,	Hawley,	Wilkinson,
Curtis,		

25

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan; and

A bill to establish a state Normal school.

On motion of Mr. Giddings,

The House adjourned.

*Friday, March 23, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. M. S. Gillett and Mosher, were absent on leave, and Messrs. Allen, H. H. Comstock and Curtis were absent without leave.

Mr. Ingersoll, asked and obtained leave of absence for Mr. Allen, until Monday next.

Mr. Cady for Mr. Curtis, for an indefinite period.

Mr. Hartsuff for Mr. H. H. Comstock, for the day.

Mr. Mulhollen for Mr. Tilden, for an indefinite period.

Mr. Ferguson presented the petition of H. D. Garrison, C. T. Gorham and one hundred and one other citizens of Calhoun county, for the restoration of the law providing for capital punishment; laid upon the table.

Mr. Chamberlain presented the petition of A. J. Clark, Jacob Beeson, A. B. Staples, William Graves and one hundred and seven others, for the passage of the bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company; laid on the table.

The following messages were received from the Executive:

EXECUTIVE OFFICE,  
Lansing, March 22, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to incorporate the Tecumseh and Dundee plank road company;

An act to incorporate the Decatur, Lawrence and Breedsville plank road company;

An act to incorporate the Niles and Mottville plank road company; and

An act to authorize James S. Pitts to convey real estate.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE,  
Lansing, March 22, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for the election of county judge for Ingham county.

EPAPHRO. RANSOM.

Mr. Lovell moved that the bill authorizing an appropriation to aid in the construction of a bridge across Grand river, at Portland, in the county of Ionia, be taken from the file of bills reported against and referred to the committee of the whole and placed on the general order, which motion prevailed.

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill to incorporate the Pontiac and Waterford plank road company, and the bill was ordered to be read the third time.

On motion of Mr. Hammond,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848, and the bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for the third reading.

The following entitled bills were severally read the third time and passed, viz:

A bill to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego;

A bill to amend chapter ninety three of the revised statutes of 1846;

A bill to amend an act entitled an act to authorize the Governor to issue patents in certain cases, approved April 28, 1846; and

A bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848.

A bill to incorporate the Pontiac and Waterford plank road company, was read the third time and passed by a two-thirds vote, as follows:

#### YEAS.

Mr. Andrews,  
Bacon,  
Belding,  
Bowne,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
O. C. Comstock,  
Dayton,  
Deming,

Mr. Flower,  
A. Gillet,  
Haight,  
Hammond,  
Harger,  
Hatch,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Loyell,

Mr. Moffatt,  
Moran,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
Waite,  
Wilkinson,

Earl,  
Ferguson,  
Fox,

Matthews,  
McNair,

Wright,  
Speaker.

46  
0

NAYS.

The House having arrived at the order of unfinished business, took up the bill for the dissolution of a certain school district in the county of Oakland, and ordered it to be engrossed and read the third time.

The bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent, and making appropriations therefor, was taken up, and the amendments reported by the committee of the whole were concurred in, in gross.

On motion of Mr. Andrews,

The bill was laid on the table.

The House then resolved itself into a committee of the whole on the special order, being the bill to define the jurisdiction of county courts, and for other purposes, Mr. Hawley in the chair, and after spending some time thereon, the committee rose and, by their chairman, reported the same back with sundry amendments in which the concurrence of the House was asked.

All of the amendments reported by the committee of the whole to the bill, except the amendment to section seventeen and the last amendment, were concurred in, in gross.

The amendment to section seventeen was non-concurred in.

Mr. Giddings moved that the bill be laid on the table, which motion prevailed, by the following vote:

YEAS.

Mr. Belding,  
Burk,  
Cady,  
Davis,  
Dayton,  
Deming,  
Earl,  
Giddings,

Mr. A. Gillet,  
Harger,  
Hawley,  
Ingersoll,  
Kilborn,  
McNair,  
McNeil,  
Morton,

Mr. Mulhollen,  
Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
Stevens,  
Waite,  
Wilkinson,

24

NAYS.

Mr. Bacon,  
Buck,  
Campbell,  
O. C. Comstock,  
Coe,  
Coman,  
David,

Mr. Ferguson,  
Fox,  
Hammond,  
Hartsuff,  
Hatch,  
Holmes,

Mr. Lovell,  
Moffatt,  
Stoddard,  
G. B. Turner,  
J. W. Turner,  
Speaker,

19

Mr. Hammond moved an adjournment, which was not agreed to.

The House then resolved itself into committee of the whole on the general order, Mr. Coe in the chair, and after spending some time thereon, the committee rose, and, by their chairman, reported progress and obtained leave to sit again.

On motion of Mr. G. B. Turner,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, was called to order by the Speaker, and

Resolved itself into committee of the whole on the general order, Mr. Coe in the chair;

And after spending some time thereon, the committee rose, and, by their chairman, reported back to the House without amendment,

A bill to incorporate the Battle Creek and Hastings plank road company;

A bill to incorporate the Jackson and Mason plank road company; and

A bill to incorporate the trustees of Mountain Home cemetery;

And also reported back, with sundry amendments, in which the concurrence of the House was asked,

A bill to incorporate the Saginaw bay gypsum company;

A bill taxing bachelors for the relief of indigent widows and orphans;

A bill providing for the draining of low lands in the town of Lansing, and for other purposes;

A bill to amend chapter twenty-four of the revised statutes of 1846;

A bill relative to the support of the poor in the several counties of this state;

A bill to provide for laying out and establishing a certain state road in the counties of Oakland and Lapeer;

A preamble and joint resolution relative to Moore and Hascall's harvesting-machine; and

A joint resolution relative to furnishing legislative documents to Louis Napoleon Bonaparte, president of the French republic.

The following entitled bills were severally ordered to be read the third time, viz:

A bill to incorporate the trustees of Mountain Home cemetery;

A bill to incorporate the Jackson and Mason plank road company.

The amendments reported by the committee of the whole to the bill to provide for laying out and establishing a certain state road in the counties of Oakland and Lapeer, were severally concurred in, and

On motion of Mr. Stevens,

The further consideration of the bill was indefinitely postponed.

The amendment reported to the preamble and joint resolution relative to Moore and Hascall's harvesting machine, was concurred in.

Mr. Stevens moved that all after the resolving clause be stricken out, which motion was lost, and

The joint resolution was ordered to be read the third time.

The amendments reported to the joint resolution relative to furnishing legislative documents to Louis Napoleon Bonaparte, president of the French republic, were severally concurred in.

On motion of Mr. Turrill,

The words "Dr. Roberts, president of the republic of Liberia," were inserted after "republic," in the second line.

On motion of Mr. G. B. Turner,

All after the enacting clause was stricken out, and the further consideration of the joint resolution was indefinitely postponed.

The amendments reported to the bill relative to the support of the poor in the several counties of this state, were concurred in, and the bill was ordered to be engrossed and read the third time.

The amendments reported to the bill to amend chapter twenty-four of the revised statutes of 1846, were concurred in.

On motion of Mr. Stevens,

The seventh line of section one was amended by striking out the word "five," and inserting "ten."

The bill was then ordered to be engrossed and read the third time.

The amendments reported to the bill to provide for draining low

lands in the town of Lansing, and for other purposes, were concurred in; and

On motion of Mr. Stevens,

The further consideration of the bill was indefinitely postponed.

The amendment reported to the bill to incorporate the Saginaw bay gypsum company, was concurred in, and

The bill was ordered to be read the third time.

The further consideration of the bill taxing bachelors for the relief of indigent widows and orphans, was,

On motion of Mr. J. W. Turner,

Indefinitely postponed.

On motion of Mr. Bowne,

The House adjourned.

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*Saturday, March 24, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Curtis, M. S. Gillett, Mosher and Tilden were absent on leave.

Mr. Stevens presented the petition of F. F. Parker, J. James and others, of Detroit, for the passage of the bill now before the legislature, as a supplementary act to the Detroit, Romeo and Port Huron plank road company; laid on table.

Mr. Tuttle presented the petition of Phineas Homan and others, of Detroit, for the same purpose; laid on the table.

Mr. Hawley presented the petition of Backus & Bissell and others of E. R. Garrison, A. C. Powell and others, and of Luther B. Willard and others, of Detroit, for the same purpose; laid on the table.

Mr. Morton, from the committee on state affairs, reported a bill to amend section forty-six of chapter thirty of the revised statutes of 1846, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported a bill to incorporate the Oakland female seminary, which was read twice and ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.



On motion of Mr. Parkhurst,

The rule was suspended, so that the bill might be read the third time to-day.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly engrossed, viz:

A bill relative to the support of the poor in the several counties of this state;

A bill for the dissolution of a certain school district in the county of Oakland; and

A bill to amend chapter twenty-four of the revised statutes of 1846.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to establish a state Normal school:

A bill to incorporate the Trenton and Ypsilanti plank road company;

A bill for the relief of school district number eight of the township of Ransom, in the county of Hillsdale; and

A bill to incorporate the Ray and Almont plank road company.

The following message was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 24, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 23, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bill, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked, viz:

A bill to amend an act entitled an act to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton, approved January 16, 1849.

Respectfully, &c.,

W. L. BANCROFT,  
Secretary of the Senate.

The Senate bill to amend an act entitled an act to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton, was read twice, when

Mr. Hammond moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be read the third time.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 23, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848;

A bill appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton; and

A bill for the improvement of the state road leading from the village of Portland, in Ionia county, to the Grand river road, in the county of Clinton.

Also, the following entitled bills and joint resolutions, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the president, directors and company of the Peninsular bank;

A bill authorizing proceedings against garnishees, and for other purposes;

A bill to incorporate the Native copper company;

A bill to amend an act entitled an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan;

Joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb; and

Joint resolution relative to certain state property.

Also, the following entitled bill, together with a substitute therefor, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto.

Also, the following entitled bills, and to respectfully inform you, that the Senate have non-concurred therein, viz:

A bill to amend an act entitled an act to exempt a homestead from forced sale, in certain cases, approved March 25, 1848; and

A bill to amend chapter one hundred and seventy-two of the revised statutes of 1846.

Also, the following entitled bill, and to respectfully inform you, that the Senate insist upon their amendment thereto, viz:

A bill to incorporate the Monroe and Belleville plank road company.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the Farmers' and Merchants' bank of Ann Arbor;

A bill giving the circuit courts jurisdiction in actions of ejectment;

A bill to amend an act entitled an act to incorporate the village of Tecumseh;

A bill to amend sections eighteen, twenty, twenty-four and twenty-eight of title nine, chapter forty of the revised statutes;

A bill to amend an act entitled an act to incorporate the Jackson mining company of Jackson;

A bill to amend chapter seven, title two of the revised statutes;

A bill for the vacation of certain streets and an alley in the village of Byron, in the county of Shiawassee;

A bill to vacate a portion of the map or plat of the town of Lyons, in the county of Ionia;

A bill to incorporate the Monroe and Flat Rock plank road company;

A bill to incorporate the Peninsula eclectic medical college of Detroit;

A bill to amend an act entitled an act to incorporate the Detroit and Utica plank road company; and

A bill to authorize Mary Ann Miller to convey certain real estate.

Respectfully, &c.,

W. L. BANCROFT,

Secretary of the Senate.

The bill to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848;

The bill appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton;

The bill for the improvement of the state road leading from the village of Portland, in Ionia county, to the Grand river road, in the county of Clinton,

Were ordered to be enrolled.

The Senate bill to incorporate the Farmers' and Merchants' bank of Ann Arbor, was read twice, when

Mr. J. W. Turner moved a suspension of the rule requiring a reference of Senate bills to a standing committee, which motion prevailed, and

On motion of Mr. Coe,

The bill was made the special order for to-day.

The Senate bill to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize the appointment of commissioners to expend the same, was read twice and referred to the committee on roads and bridges.

The following entitled Senate bills were severally read twice and referred to the committee on banks and incorporations, viz :

A bill to amend an act entitled an act to incorporate the village of Tecumseh;

A bill to amend an act entitled an act to incorporate the Jackson mining company of Jackson;

A bill to incorporate the Monroe and Flat Rock plank road company;

A bill to amend an act entitled an act to incorporate the Detroit and Utica plank road company;

A bill to incorporate the Peninsular eclectic medical college of Detroit.

The following entitled Senate bills were severally read twice and referred to the committee on the judiciary, viz :

A bill giving circuit courts jurisdiction in actions of ejectment;

A bill to amend sections eighteen, twenty, twenty-four and twenty-eight of title nine, chapter forty-one of the revised statutes;

A bill to amend chapter seven, title two of the revised statutes;

A bill for the vacation of certain streets and an alley in the village of Byron, in the county of Shiawassee;

A bill to vacate a portion of the map or plat of the town of Lyons, in the county of Ionia; and

A bill to authorize Mary Ann Miller to convey certain real estate.

The Senate substitute for the bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company, approved March 7, 1834, and the several acts amendatory thereto, was concurred in, by a two-thirds vote, as follows :

## YEAS.

Mr. Allen,	Mr. A. Gillet,	Mr. Moffatt,
Andrews,	Haight,	Moran,
Belding,	Hammond,	Morton,
Bowne,	Harger,	Mulhollen,
Buck,	Hartsuff,	O'Malley,
Campbell,	Hatch,	Salzer,
Chittenden,	Hawley,	Smith,
Coe,	Hobart,	St. Clair,
Coman,	Holmes,	Stevens,
H. H. Comstock,	Ingersoll,	Stoddard,
David,	Kilborn,	Turrill,
Dayton,	Lockwood,	Tuttle,
Earl,	Lovell,	Waite,
Fox,	Matthews,	Speaker,
Giddings,	McNeil,	

44

## NAYS.

Mr. Bacon,	Mr. Deming,	Mr. Pennoyer,
Burk,	Ferguson,	G. B. Turner,
Cady,	Flower,	Wilkinson,
Davis,	McNair,	Wright,

12

And the bill was ordered to be enrolled.

The Senate amendments to the bill to incorporate the president, directors and company of the Peninsula bank, were concurred in, in gross, by a two-thirds vote, as follows:

## YEAS.

Mr. Allen	Mr. Ferguson,	Mr. Matthews,
Andrews,	Fox,	McNeil,
Belding,	Flower,	Moffatt,
Bowne,	Giddings,	Moran,
Buck,	A. Gillet,	Morton,
Cady,	Haight,	Mulhollen,
Campbell,	Hammond,	O'Malley,
Chittenden,	Hartsuff,	Salzer,
Coe,	Hatch,	Smith,
Coman,	Hawley,	St. Clair,

H. H. Comstock,	Hobart,	Stevens,	
O. C. Comstock,	Holmes,	Stoddard,	
David,	Kilborn,	Tuttle,	
Dayton,	Lockwood,	Waite,	
Earl,	Lovell,	Speaker,	45.

## NAYS.

Mr. Bacon,	Mr. Harger,	Mr. G. B. Turner,	
Burk,	Ingersoll,	Turrill,	
Davis,	Pennoyer,	Wilkinson,	
Deming,			10.

And the bill was ordered to be enrolled.

The Senate amendments to the following entitled bills and joint resolution were severally concurred in and ordered, as amended, to be enrolled, viz:

A bill authorizing proceedings against garnishees, and for other purposes;

A bill to amend an act entitled an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan; and

A joint resolution relative to certain state property.

The Senate amendments to the bill to incorporate the Native copper company, and

To the joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb,

Were severally non-concurred in.

The Senate amendment to the bill to incorporate the Monroe and Belleville plank road company, was concurred in, by a two-thirds vote, as follows:

## YEAS:

Mr. Andrews,	Mr. Hartsuff,	Mr. Pennoyer,	
Bacon,	Hatch,	Salzer,	
Bowne,	Hawley,	Smith,	
Buck,	Hobart,	St. Clair,	
Campbell,	Kilborn,	Stoddard,	
Coe,	Lockwood,	G. B. Turner,	
Coman,	Lovell,	J. W. Turner,	
O. C. Comstock,	McNair,	Turrill,	
Dayton,	McNeil,	Tuttle,	
Earl,	Moffatt,	Waite,	
Fox,	Moran,	Wright,	
A. Gillet,	Mulhollen,	Speaker,	
Haight,	O'Malley,		38.

NAYS.

Mr. Deming,  
Flower,

Mr. Giddings,

Mr. Holmes,

4

And the bill was ordered to be enrolled.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Losina Wilson, widow of Daniel Wilson, to sell certain real estate, which was read twice, and ordered to be engrossed, and read the third time.

On motion of Mr. Lockwood,

The rule was suspended so that the bill might receive its third reading to-day, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Salyer,

The committee of the whole were discharged from the further consideration of the bill to vacate the plat of the Village of the Lake, in the county of Washtenaw, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Morton,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. Ingersoll moved that the bill to suppress monopolies and to repeal obnoxious laws, be taken from the table, which motion was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Andrews,  
Bacon,  
Belding,  
Bowne,  
Burk,  
Campbell,  
Chamberlain,  
Coman,  
H. H. Comstock,

Mr. Ferguson,  
Giddings,  
A. Gillet,  
Hammond,  
Ingersoll,  
Lovell,  
Matthews,  
Moffatt,  
Mulhollen,

Mr. Pennoyer,  
Salyer,  
Smith,  
St. Clair,  
Stevens,  
Stoddard,  
G. B. Turner,  
Turrill,  
Wright,

27

NAYS.

Mr. Allen,

Mr. Deming,

Mr. McNair,

Buck,	Fox,	McNeil,
Cady,	Haight,	Morton,
Chittenden,	Harger,	O'Malley,
Coe,	Hatch,	J. W. Turner,
O. C. Comstock,	Hawley,	Tuttle,
David,	Hobart,	Waite,
Davis,	Holmes,	Wilkinson,
Dayton,	Kilborn,	Speaker, 27

On motion of Mr. O'Malley,

The committee of the whole were discharged from the further consideration of the bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakspeare, and for other purposes, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. Hammond gave notice that he would on some future day ask leave to introduce a bill to prohibit the carrying off of dams and bridges by freshets.

Mr. Kilborn gave notice that he would on some future day ask leave to introduce a bill for the relief of Nancy D. Carter.

On motion of Mr. H. H. Comstock,

The bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent, and making appropriations therefor, was taken from the table, and

The bill was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Morton,

The committee of the whole were discharged from the further consideration of the joint resolution relative to the construction of a ship canal around the Falls of Niagara.

On motion of Mr. Coe,

The words "to the Governors of the several states and," were inserted after "resolution" in the fourth line of the first resolution.

The joint resolution was then ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. Parkhurst, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Charlotte Pratt, widow of John



W. Pratt, deceased, to convey certain real estate, which was read twice and referred to the committee on the judiciary.

On motion of Mr. Belding,

The committee of the whole were discharged from the further consideration of the bill to repeal an act entitled an act to authorize the erection of a toll gate and for keeping in repair the Detroit and Saginaw road, and for other purposes.

Mr. David moved that the first section of the bill be amended by adding thereto the following proviso: *Provided*, That nothing in this act shall interfere with contracts entered into by the superintendents of said road during the year 1848.

The bill was then ordered to be engrossed and read the third time, by the following vote:

## YEAS.

Mr. Allen,	Mr. Haight,	Mr. Moran,
Andrews,	Hammond,	Mulhollen,
Bacon,	Harger,	O'Malley,
Belding,	Hartsuff,	Parkhurst,
Buck,	Hobart,	Pennoyer,
Burk,	Kilborn,	Smith,
Campbell,	Lockwood,	Stevens,
Chamberlain,	Lovell,	Stoddard,
Coman,	Matthews,	Tuttle,
O. C. Comstock,	McNair,	Wilkinson,
David,	McNeil,	Wright,
Davis,	Moffatt,	Speaker,
Deming,		

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## NAYS.

Mr. Chittenden,	Mr. Dayton,	Mr. A. Gillet,	3
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And the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Davis,

The bill to authorize Eunice James, widow of Solomon James, to sell certain real estate, was taken from the file of bills reported against and referred to the committee of the whole and placed on the general order.

Mr. Davis gave notice that on some future day he would ask leave to introduce a joint resolution

On motion of Mr. Chamberlain,

The committee of the whole were discharged from the further consideration of the bill to incorporate the Lake Michigan and Terre Compee plank road Company, and

Mr. Chamberlain moved that the first line of section three be amended by striking out the word "forty" and inserting "twenty-five," which was agreed to.

The bill was then ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. G. B. Turner,

The bill to define the jurisdiction of country courts, and for other purposes, was taken from the table.

On motion of Mr. Coe.

The sixteenth section was amended by striking out of the third line the words "the indictment was found," and inserting "the defendant shall be required to plead," and by striking out of the second and third lines the words "next following the one."

The question then being on concurring in the amendment to the bill reported by the committee of the whole, striking out all after the enacting clause, it was concurred in, by yeas and nays, as follows:

#### YEAS.

Mr. Allen,  
Campbell,  
David,  
Davis,  
Deming,  
Earl,  
Flower,  
Giddings,  
A. Gillet,

Mr. Harger,  
Hawley,  
Hobart,  
Kilborn,  
Lockwood,  
McNair,  
McNeil,  
Moran,  
Mulhollen,

Mr. Parkhurst,  
Pennoyer,  
Salzer,  
Smith,  
Stevens,  
Tuttle,  
Waite,  
Wilkinson 26

#### NAYS.

Mr. Andrews,  
Bacon,  
Buck,  
Burk,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,

Mr. H. H. Comstock, Mr. Holmes,  
O. C. Comstock, Lovell,  
Dayton, Moffatt,  
Ferguson, O'Malley,  
Haight, Stoddard,  
Hammond, G. B. Turner,  
Hartsuff, Speaker, 23  
Hatch,

On motion of Mr. Parkhurst.

The bill to authorize the minor heirs of the late Jesse Tuttle, deceased, to convey certain real estate, was taken from the file of bills reported against, and

It was ordered to be read the third time.

Mr. Morton moved that the bill to amend an act entitled an act to

authorize the sale of the Southern railroad and to incorporate the Michigan Southern railroad company, be taken from the table,

Pending which,

Mr. J. W. Turner moved a call of the House, which was had, and it was found that Mr. St. Clair was absent without leave.

On motion of Mr. Ingersoll,

The Sergeant-at-Arms was sent after the absentee, and after some time, the Sergeant-at-Arms returned and reported that Mr. St. Clair was not to be found.

On motion of Mr. Ingersoll,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and Mr. Smith was absent without leave.

On motion of Mr. Pennoyer,

The Sergeant-at-Arms was sent after the absentee.

Mr. O'Malley moved that all proceedings under the call be dispensed with, which motion prevailed, by the following vote:

YEAS.

Mr. Campbell,	Mr. Hawley,	Mr. Salyer,
Chittenden,	Holmes,	St. Clair,
Coman,	Lockwood,	Stevens,
H. H. Comstock,	Lovell,	Stoddard,
O. C. Comstock,	Matthews,	Tuttle,
Dayton,	Moran,	Waite,
Flower,	Morton,	Wilkinson,
A. Gillet,	Mulhollen,	Wright,
Hammond,	O'Malley,	Speaker,
Hartsuff,	Pennoyer,	

29

NAYS.

Mr. Allen,	Mr. Deming,	Mr. Ingersoll,
Andrews,	Earl,	Kilborn,
Bacon,	Ferguson,	McNair,
Belding,	Fox,	McNeil,
Burk,	Giddings,	Moffatt,
Chamberlain,	Haight,	Parkhurst,
Coe,	Harger,	G. B. Turner,
David,	Hatch,	J. W. Turner,
Davis,	Hobart,	Turrill,

27

The question then recurring on the motion to take from the table the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, it was decided in the affirmative, by the following vote:

## YEAS.

Mr. Allen,	Mr. A. Gillet,	Mr. Moran,
Belding,	Haight,	Morton,
Buck,	Hammond,	Mulhollen,
Campbell,	Hartsuff,	O'Malley,
Chittenden,	Hawley,	Salter,
Coe,	Hobart,	St. Clair,
Coman,	Holmes,	Stevens,
H. H. Comstock,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	J. W. Turner,
David,	Lockwood,	Turrill,
Dayton,	Lovell,	Tuttle,
Earl,	Matthews,	Waite,
Flower,	McNeil,	Speaker,
Giddings,		

40

## NAYS.

Mr. Andrews,	Mr. Deming,	Mr. Parkhurst,
Bacon,	Ferguson,	Pennoyer,
Bowne,	Fox,	Smith,
Burk,	Harger,	G. B. Turner,
Cady,	Hatch,	Wilkinson,
Chamberlain,	McNair,	Wright,
Davis,	Moffatt,	

20

Mr. Morton moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question being on the passage of the bill to amend an act entitled an act to authorize the sale of the Southern railroad and to incorporate the Michigan southern railroad company, which had been returned by the Executive without his approval, the following was the vote thereon:

## YEAS.

Mr. Allen,	Mr. A. Gillet,	Mr. Moran,
Buck,	Haight,	Morton,
Campbell,	Hammond,	Mulhollen,
Chittenden,	Hartsuff,	O'Malley,
Coe,	Hatch,	Salter,
Coman,	Hawley,	Smith,
H. H. Comstock,	Hobart,	St. Clair,
O. C. Comstock,	Holmes,	Stevens,
David,	Ingersoll,	Stoddard,
Dayton,	Kilborn,	J. W. Turner,

Earl,	Lockwood,	Terrill,	
Fox,	Lovell,	Tuttle,	
Flower,	Matthews,	Waite,	
Giddings,	McNeil,	Speaker,	42

NAYS.

Mr. Andrews,	Mr. Chamberlain,	Mr. Moffatt,	
Bacon,	Davis,	Parkhurst,	
Belding,	Deming,	Pennoyer,	
Bowne,	Ferguson,	G. B. Turner,	
Burk,	Harger,	Wilkinson,	
Cady,	McNair,	Wright,	18

Two-thirds of all the members present having voted in the affirmative, the bill was declared to be passed, notwithstanding the objections of the Executive.

On motion of Mr. Chittenden,  
The House adjourned.

*Monday, March 26, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Curtis, M. S. Gillett, Mosher and Tilden were absent on leave, and Mr. Allen was absent without leave.

Mr. Dayton asked and obtained leave of absence for Mr. St. Clair for an indefinite period from and after to-day.

Mr. Stevens presented the petition of James Wright and others; of Morrison Greene and others; of James Copeland and others; of Wm. Harsha and others; of Levi Bishop and others, and of James Sutherland and others, all of Detroit, for the passage of the bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company; which were laid on the table.

Mr. Dayton presented the petition of F. King and two hundred and ninety-four others, inhabitants of the county of Genesee, on the subject of intemperance; referred to the committee on state affairs.

Mr. Ferguson, from the committee on the judiciary, to whom were referred the Senate bill to vacate a portion of the map or plat of the town of Lyons, in the county of Ionia; and

The Senate bill to provide for settling the damages occasioned by the erection of dams for mills, where the waters thereof overflow adjacent lands.

Reported the same back without amendment and recommended that they be not passed, which report was accepted, and the committee discharged from the further consideration of the subjects, and the bills were placed on the file of bills reported against.

Mr. Ferguson, from the same committee, to whom were referred the following entitled bills, reported the same back without amendment, and recommended their passage, viz:

A bill to authorize Mary Ann Miller to convey certain real estate;

A bill for the vacation of certain streets and an alley in the village of Byron, in the county of Shiawassee;

A bill to amend chapter seven, title two of the revised statutes, and

A bill to amend sections eighteen, twenty, twenty-four and twenty-eight, of title nine, chapter forty-one of the revised statutes.

Which report was accepted and the committee discharged from the further consideration of the subjects, and the bills were referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the bill to authorize Charlotte Pratt, widow of John W. Pratt, deceased, to convey certain real estate, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to a committee of the whole and placed on the general order.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the following entitled bills, reported the same back without amendment and recommended their passage, viz:

A bill to incorporate the Peninsula eclectic medical college of Detroit;

A bill to amend an act entitled an act to incorporate the Jackson mining company of Jackson;

A bill to incorporate the Monroe and Flat Rock plank road company;

A bill to amend an act entitled an act to incorporate the Detroit and Utica plank road company; and

A bill to amend an act entitled an act to incorporate the village of Tecumseh;

Which report was accepted and the committee discharged from the further consideration of the subjects, and the bills were referred to the committee of the whole and placed on the general order.

Mr. Davis, from the committee on roads and bridges, to whom was referred the Senate bill to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize the appointment of commissioners to expend the same, reported the same back without amendment, and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, reported a bill making appropriations to defray certain expenses authorized for the year 1849, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. O. C. Comstock, from the committee on education, reported a bill supplementary to an act entitled an act to establish a state Normal school, which was read twice and ordered to be engrossed and read the third time.

On motion of Mr. O. C. Comstock,

The rule was suspended so that the bill may receive its third reading to-day, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. O. C. Comstock, from the same committee, reported a bill to authorize Adrian union school district number one, to borrow money for the purposes therein mentioned, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Morton, from the committee on state affairs, to whom was referred the bill to provide for the election of a board of state auditors, reported the same back without amendment, and recommended that it be not passed, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was placed on the file of bills reported against.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval,

A bill to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto;

A bill to incorporate the president, directors and company of the Peninsular bank;

A bill to amend an act entitled an act to establish an asylum for the deaf and dumb, and blind, and also an asylum for the insane of the state of Michigan;

A bill appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton; and

A bill to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848.

Mr. McNeil from the committee of conference on the part of the House on the disagreement between the two Houses on the bill to authorize a re-location of the Northern wagon road between the villages of Flint and Corunna, submitted a report which was accepted and the committee discharged, and the report was concurred in by the House.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 26, 1849.)

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to incorporate the Trenton and Ypsilanti plank road company;

An act to incorporate the Ray and Almont plank road company;

Also, an act for the relief of school district number eight of the township of Ransom, in the county of Hillsdale.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 25, 1849.)

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to amend an act entitled an act for the improvement of the



Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848, and "

A bill to amend an act entitled an act to authorize the Governor to issue patents in certain cases, approved April 28, 1846.

Also, the following entitled bill and joint resolutions, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill to authorize the plat of the villages of Orion and New Canandaigua City, in the township of Orion, in the county of Oakland, to be recorded, and for other purposes;

Joint resolution relative to the claim of Alexander Titchworth; and

Joint resolution authorizing the Auditor General to draw certain warrants.

Also, that the Senate have receded from their first, second, third, seventh and eighth amendments to a bill to incorporate the Lansing coal company, which bill is herewith returned.

I am further instructed to transmit herewith the following entitled bill and joint resolution which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill in relation to school district number six, in the township of Barry, in the county of Barry;

Joint resolution relative to the discharge of a certain mortgage.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The following entitled bills were ordered to be enrolled, viz:

A bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848;

A bill to amend an act entitled an act to authorize the Governor to issue patents in certain cases, approved April 28 1846; and

A bill to incorporate the Lansing coal company.

The Senate bill in relation to school district number six, in the township of Barry, in the county of Barry, was read twice and referred to the committee on education.

The Senate joint resolution relative to the discharge of a certain mortgage, was read twice and referred to the committee on the judiciary.

The Senate amendments to the following entitled bill and joint resolutions were severally concurred in, and the bill and joint resolutions as amended, were ordered to be enrolled, viz:

A bill to authorize the plats of the villages of Orion, and New Ganandaigua City, in the township of Orion, in the county of Oakland, to be recorded, and for other purposes;

A joint resolution authorizing the Auditor General to draw certain warrants, and

A joint resolution relative to the claim of Alexander Titchworth.

Mr. Lovell moved that the bill to vacate a portion of the map or plat of the town of Lyons, in the county of Ionia, be taken from the file of bills reported against, which motion prevailed, and

The bill was ordered to be read the third time.

On motion of Mr. Giddings,

The committee of the whole were discharged from the further consideration of the bill to incorporate the Galesburg and Grand Rapids plank road company, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Pennoyer,

The vacancy in the committee on ways and means caused by the absence of Mr. Tilden, was directed to be filled, and

The Speaker appointed Mr. Morton to fill such vacancy.

On motion of Mr. Fox,

The bill to suppress monopolies and to repeal obnoxious laws was taken from the table.

Mr. Ingersoll moved that the bill be referred to the committee on ways and means, which motion prevailed, by the following vote:

#### YEAS.

Mr. Andrews,  
Belding,  
Bowne,  
Burk,  
Chamberlain,  
H. H. Comstock,  
Davis,  
Dayton,  
Deming,

Mr. Earl,  
Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Harger,  
Ingersoll,  
Lovell,  
McNair,

Mr. Moffatt,  
Pennoyer,  
Salzer,  
Smith,  
G. B. Turner,  
Turrill,  
Wilkinson,  
Wright,  
Speaker,

NAYS.

Mr. Bacon,	Mr. David,	Mr. Kilborn,
Buck,	Ferguson,	McNeil,
Cady,	Fox,	Morton,
Campbell,	Flower,	Mulhollen,
Chittenden,	Hartsuff,	O'Malley,
Coe,	Hatch,	Stevens,
Coman,	Hawley,	J. W. Turner,
O. C. Comstock,	Holmes,	Tuttle,

24

Mr. Ferguson moved that the committee on ways and means, be instructed to report back forthwith to the House, the bill to suppress monopolies, and to repeal obnoxious laws, amended by striking out of the first section the words "as goes to repeal the former existing laws in relation to state printing; and so much of the same," and by striking out the second section.

Mr. J. W. Turner moved that the motion be amended, by instructing the committee to report the bill back together with the following as a substitute therefor:

A bill to repeal sections three, four and five of an act entitled an act relative to state printing, approved March 12, 1849.

Section 1. *Be it enacted by the Senate and House of Representatives, of the State of Michigan,* That sections three, four and five of an act entitled an act relative to state printing, approved March 12, 1849, be, and the same are hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its passage.

Pending which,

Mr. G. B. Turner moved that the farther consideration of the whole subject be indefinitely postponed, which motion was decided in the negative, by the following vote:

YEAS.

Mr. Bacon,	Mr. Earl,	Mr. Moffatt,
Belding,	Giddings,	Pennoyer,
Bowne,	A. Gillet,	Salter,
Burk,	Harger,	Smith,
Campbell,	Ingersoll,	G. B. Turner,
H. H. Comstock,	Lovell,	Wright,
Davis,	Matthews,	Wilkinson,
Deming,	McNair,	

23

NAYS.

Mr. Andrews,	Mr. Fox,	Mr. Morton,
Buck,	Flower,	Mulhollen,

Cady,	Haight,	O'Malley,
Chittenden,	Hartsuff,	Parkhurst,
Coe,	Hatch,	Stevens,
Coman,	Hawley,	J. W. Turner,
O. C. Comstock,	Holmes,	Tuttle,
David,	Kilborn,	Waite,
Dayton,	McNeil,	Speaker,
Ferguson,		

23

Mr. J. W. Turner moved the previous question, which was demanded, and the main question was ordered to be now put.

The question then recurring on the motion made by Mr. J. W. Turner, to amend the instructions, it was decided in the affirmative, by the following vote:

## YEAS.

Mr. Bacon,	Mr. Davis,	Mr. Kilborn,
Buck,	Ferguson,	McNeil,
Cady,	Fox,	Morton,
Campbell,	Flower,	O'Malley,
Chittenden,	Haight,	Stevens,
Coe,	Hartsuff,	J. W. Turner,
Coman,	Hatch,	Tuttle,
O. C. Comstock,	Hawley,	Waite,
David,	Holmes,	Speaker,

27

## NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Moffatt,
Belding,	A. Gillet,	Mulhollen,
Bowne,	Hammond,	Pennoyer,
Burk,	Harger,	Salzer,
Chamberlain,	Ingersoll,	Smith,
H. H. Comstock,	Lovell,	G. B. Turner,
Dayton,	Matthews,	Wilkinson,
Deming,	McNair,	Wright,
Earl,		

25

The question then being on the motion of Mr. Ferguson, as amended, it was agreed to, by the following vote:

## YEAS.

Mr. Buck,	Mr. Fox,	Mr. Morton,
Cady,	Flower,	Mulhollen,
Campbell,	Haight,	O'Malley,
Chittenden,	Hartsuff,	Stevens,
Coe,	Hatch,	Stoddard,
Coman,	Hawley,	J. W. Turner,
O. C. Comstock,	Holmes,	Tuttle,
David,	Kilborn,	Waite,
Davis,	Lockwood,	Speaker
Ferguson,	McNeil,	

29

NAYS.

Mr. Andrews,	Mr. Earl,	Mr. Moffatt,
Bacon,	Giddings,	Parkhurst,
Belding,	A. Gillet,	Pennoyer,
Bowne,	Hammond,	Salzer,
Burk,	Harger,	Smith,
Chamberlain,	Ingersoll,	G. B. Turner,
H. H. Comstock,	Lovell,	Wilkinson,
Dayton,	Matthews,	Wright,
Deming,	McNair,	

26

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill for the relief of Nancy D. Carter, which was read twice, and ordered to be engrossed and read the third time.

On motion of Mr. Kilborn,

The rule was suspended so as to enable the bill to receive its third reading to-day, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Bowne,

*Resolved*, That a select committee of three be appointed by the chair, to inquire into the expediency of repealing so much of the act entitled an act for the payment of the officers and members of the legislature, as allows the Speaker six dollars per day.

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill to authorize Charlotte Pratt, widow of John W. Pratt, deceased, to convey certain real estate, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Davis,

The committee of the whole were discharged from the further consideration of the bill to authorize Eunice James, widow of Solomon James, to sell certain real estate, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

Mr. Stevens moved a reconsideration of the vote concurring in the amendment of the committee of the whole, striking out all after the enacting clause of the bill to define the jurisdiction of county courts, and for other purposes,

Pending which,

Mr. Penoyer moved a call of the House, which was had, and it was found that Messrs. Allen, Bacon, O. C. Comstock, Fox, A. Gillet, Hatch, Hobart, Moran, Salyer and St. Clair were absent without leave.

On motion of Mr. G. B. Turner,

The Sergeant-at-Arms was sent after the absentees.

Several of the absentees having returned,

On motion of Mr. G. B. Turner,

All further proceedings under the call were dispensed with.

The question then recurring on the motion to reconsider, it was decided in the affirmative, and

On motion of Mr. G. B. Turner,

The bill was laid on the table.

On motion of Mr. Coe,

The committee of the whole were discharged from the further consideration of the bill for the relief of the purchasers of certain lands in the township of Plainfield, and

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The following entitled bills and joint resolutions were severally read the third time and passed, viz;

A bill to authorize Ennice James, widow of Solomon James, to sell certain real estate;

A bill to authorize Charlotte Pratt, widow of John W. Pratt, deceased, to convey certain real estate;

A bill to authorize Losina Wilson, widow of Daniel Wilson, to sell certain real estate;

A bill to authorize the minor heirs of the late Jesse Turtle, deceased, to convey certain real estate;

A bill for the relief of Nancy D. Carter;

A bill to vacate a portion of the map or plat of the town of Lyons, in the county of Iowa;

A bill supplementary to an act entitled an act to establish a state Normal school;

A bill to repeal an act entitled an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes;

A bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakespeare, and for other purposes;

A bill to vacate the plat of the Village of the Lake, in the county of Washtenaw;

A bill to amend an act entitled an act to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton;

A bill for the dissolution of a certain school district in the county of Oakland;

A joint resolution relative to the construction of a ship canal around the Falls of Niagara; and

A preamble and joint resolution relative to Moore and Hascall's harvesting machine.

The bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent, and making appropriations therefor, was read the third time and passed, and

On motion of Mr. H. H. Comstock,

The title of the bill was amended by striking out the words, "and making appropriations therefor."

The bill to amend chapter twenty-four of the revised statutes of 1846, was read the third time, and the question being on its passage, it was not passed.

The bill relative to the support of the poor in the several counties of this state, was read the third time and passed; and

On motion of Mr. Chamberlain,

The title was amended by striking out the words "several counties of this state," and inserting "county of Berrien."

The following entitled bills were severally read the third time, and each passed by a two-thirds vote, viz:

A bill to incorporate the Galesburg and Grand Rapids plank road company;

A bill to incorporate the Lake Michigan and Terre Coupee plank road company;

A bill to incorporate the Oakland female seminary;

A bill to incorporate the Battle Creek and Hastings plank road company;

A bill to incorporate the trustees of Mountain Home cemetery;

A bill to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto; and

A bill to incorporate the Saginaw Bay gypsum company.

The bill to incorporate the Jackson and Mason plank-road company was read the third time, and

On motion of Mr. Fox,

Laid on the table.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills and joint resolutions were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848;

A bill to amend an act entitled an act to authorize the Governor to issue patents in certain cases, approved April 28, 1846;

A joint resolution relative to certain state property; and

A joint resolution relative to the claim of Alexander Titchworth.

On motion of Mr. Moran,

The House adjourned.

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AFTERNOON SESSION.

*Two o'clock, P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker, and

Resolved itself into committee of the whole on the bill to incorporate the Farmers' and Merchants' Bank of Ann Arbor, Mr. Fox in the chair, and after spending some time thereon, the committee rose, and, by their chairman, reported the bill back to the House without amendment, and

It was ordered to be read the third time.

The House then resolved itself into a committee of the whole on the general order, Mr. Chittenden in the chair, and after spending some time thereon, the committee rose, and by their chairman, reported back to the House without amendment.

A bill to revive and continue in force an act to incorporate the Peninsular mutual fire and marine insurance company, approved March



12, 1844, under the name and style of the Detroit fire and marine insurance company;

A bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company;

A bill to require the county treasurers to cancel and adjust certain sales of lands for taxes;

A bill to authorize William Buntin to convey certain real estate to the Olivet Institute, in the county of Eaton;

A bill to authorize township boards to raise money in certain cases to defray township expenses;

A bill to establish the boundary line between the townships of Ash and Frenchtown;

A bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent;

A bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes;

A bill to incorporate the North Western health insurance company, and

A joint resolution relative to the donation of a lot in the town of Lansing; and

Also reported back with sundry amendments in which the concurrence of the House was asked,

A bill to define and regulate the period of labor;

A bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

A bill to amend chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to authorize the Auditor General and county treasurers to collect charges for certain services;

A bill authorizing the holding of the courts of Ingham county alternately at Mason and Lansing; and

A bill to extend the corporate limits of the village of Kalamazoo.

The amendment striking out all after the enacting clause, reported by the committee of the whole, to the bill to define and regulate the period of labor, was concurred in, and

On motion of Mr. G. B. Turner.

The further consideration of the bill was indefinitely postponed.

The bill for the improvement of the county line road from Gidley's

station, in the county of Jackson, to Lansing, in the county of Ingham, was

On motion of Mr. Kilborn,

Laid on the table.

The amendments reported by the committee of the whole to the bill to amend chapter one hundred and twenty-three of the revised statutes of 1846, were severally concurred in.

On motion of Mr. Coe,

The bill was amended by striking out all after the enacting clause, and inserting the following:

That on the trial of any cause under the provisions of chapter one hundred and twenty-three of the revised statutes of 1846, it shall be competent for the jury or officer before whom such trial may be had, to find the defendant guilty of forcibly or unlawfully holding over or detaining the premises described in the complaint, or any part thereof, and judgment may thereupon be rendered in accordance with such finding.

Sec. 2. In the counties of Chippewa, Houghton and Mackinac, appeals under the provisions of said chapter one hundred and twenty-three, shall be taken to the county court for such counties respectively.

The bill was then ordered to be read the third time.

The amendment reported by the committee of the whole to the bill to authorize the Auditor General and county treasurers to collect charges for certain services, was concurred in, and

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The bill authorizing the holding of the courts of Ingham county alternately at Mason and Lansing, was taken up, when

Mr. Kilborn moved that it be laid on the table, which motion was lost, and

The amendment reported by the committee of the whole was concurred in.

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The first amendment reported by the committee of the whole to the bill to extend the corporate limits of the village of Kalamazoo, was non-concurred in, and the second amendment was concurred in.

The question then being on concurring in the third amendment, which strikes out all after the enacting clause of the bill, it was concurred in, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Ferguson,	Mr. Parkhurst,
Andrews,	Fox,	Pennoyer,
Bacon,	A. Gillet,	Smith,
Belding,	Harger,	Stevens,
Burk,	Hatch,	G. B. Turner,
Cady,	Hobart,	J. W. Turner,
Campbell,	Matthews,	Tuttle,
H. H. Comstock,	McNair,	Waite,
David,	McNeil,	Wright,
Davis,	Moffatt,	Speaker,
Deming,		31

NAYS.

Mr. Buck,	Mr. Dayton,	Mr. Mulhollen,
Coe,	Haight,	Salzer,
Coman,	Lockwood,	Stoddard,
O. C. Comstock,	Lovell,	11

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The following entitled bills were severally ordered to be read the third time, viz:

A bill to incorporate the Northwestern health insurance company; and

A bill to authorize township boards to raise money in certain cases to defray township expenses.

The joint resolution relative to the donation of a lot in the town of Lansing, was taken up, when

Mr. A. Gillet moved that all after the resolving clause be stricken out, which motion was lost, and

The question recurring on ordering the joint resolution to be read the third time, it was decided in the negative, by the following vote:

YEAS.

Mr. Bacon,	Mr. Flower,	Mr. Lovell,
Belding,	Harger,	Parkhurst,
Chamberlain,	Hawley,	Tuttle,
H. H. Comstock,	Kilborn,	Speaker,
David,		13

NAYS.

Mr. Allen,	Mr. Fox,	Mulhollen,
Andrews,	A. Gillet,	Pennoyer,

Buck,	Haight,	Salzer,
Burk,	Hammond,	Smith,
Cady,	Hartsuff,	Stevens,
Campbell,	Hatch,	Stoddard,
Coe,	Hobart,	G. B. Turner,
Coman,	Matthews,	J. W. Turner,
Davis,	McNair,	Turrill,
Dayton,	Moffatt,	Waite,
Deming,	Morton,	Wilkinson,
Ferguson,		

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The following<sup>1</sup> entitled bills were severally ordered to be engrossed and read the third time, viz;

A bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes;

A bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent;

A bill to establish the boundary line between the townships of Ash and Frenchtown;

A bill to authorize William Buntin to convey certain real estate to the Olivet Institute, in the county of Eaton;

A bill to require the county treasurers to cancel and adjust certain sales of lands for taxes; and

A bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company.

The bill to revive and continue in force an act entitled an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, under the name and style of the Detroit fire and marine insurance company, was,

On motion of Mr. Andrews,

Laid on the table.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to authorize proceedings against garnishees, and for other purposes, was correctly enrolled, and was this day presented to the Governor for his approval.

On motion of Mr. Matthews,

The House adjourned.

*Tuesday, March 27, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Curtis, M. S. Gillett, Mosher, St. Clair and Tilden were absent on leave.

Mr. Lovell presented the petition of Robert E. Craven and nine others, for the appropriation of certain non-resident highway taxes for the improvement of the Maple river, as a public highway; referred to the committee on internal improvement.

Mr. G. B. Turner, from the committee on claims, to whom was referred the claim of G. F. Rood and Co., for stationary furnished the office of the Secretary of State, reported in favor of the allowance thereof, and recommended that it be referred to the committee on ways and means, with instructions to embody the amount in the general appropriation bill; which report was accepted and the committee discharged from the further consideration of the subject, and the claim was referred to the committee on ways and means, with the instructions.

Mr. Pennoyer, from the committee on ways and means, to whom was referred the Senate bill to amend chapter twenty of the revised statutes, reported the same back without amendment, and recommended that it be not passed; and

The question being on accepting the report and discharging the committee from the further consideration of the subject, it was decided in the negative.

Mr. G. B. Turner moved that the committee be discharged from the further consideration of the bill, which motion prevailed, by the following vote :

YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Mulhollen,
Andrews,	Haight,	Parkhurst,
Bacon,	Hammond,	Pennoyer,
Belding,	Hatch,	Salzer,
Bowne,	Hawley,	Smith,
Buck,	Hobart,	Stevens,
Burk,	Holmes,	G. B. Turner,
Chamberlain,	Lovell,	Turrill,
Coe,	Matthews,	Tuttle,
O. C. Comstock,	McNeil,	Waite,
David,	Moffatt,	Wilkinson,
Ferguson,	Moran,	Wright,
Fox,	Morton,	Speaker,
Flower,		

NAYS.

Mr. Chittenden,	Mr. Deming,	Mr. McNair,
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H. H. Comstock,  
Davis,  
Dayton,

Hartsuff,  
Ingersoll,  
Kilborn,

Stoddard,  
J. W. Turner, 11

Mr. G. B. Turner moved that the bill be referred to the committee of the whole and placed on the general order, which motion was decided in the affirmative, by yeas and nays, as follows:

## YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Bowne,  
Buck,  
Burk,  
Cady,  
Chamberlain,  
Coe,  
O. C. Comstock,  
David,  
Dayton,

Mr. Earl,  
Ferguson,  
Fox,  
Flower,  
Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Hatch,  
Hawley,  
Hobart,  
Holmes,  
Lovell,

Mr. Matthews,  
McNeil,  
Moffat,  
Mulhollen,  
Salyer,  
Smith,  
Stevens,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite, 38

## NAYS.

Mr. Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
Davis,  
Deming,

Mr. Harger,  
Hartsuff,  
Ingersoll,  
Kilborn,  
McNair,  
Morton,

Mr. Parkhurst,  
Pennoyer,  
Wilkinson,  
Wright,  
Speaker, 17

Mr. J. W. Turner, from the committee on the judiciary, reported a bill to repeal section five of an act entitled an act relative to state printing, approved March 12, 1849, which was read twice, when

Mr. Ingersoll moved that it be laid on the table, which motion prevailed, by the following vote:

## YEAS.

Mr. Andrews,  
Bacon,  
Belding,  
Bowne,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Deming,  
Earl,

Mr. Flower,  
Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Harger,  
Hobart,  
Ingersoll,  
Lovell,  
Matthews,

Mr. McNair,  
Moffat,  
Mulhollen,  
Pennoyer,  
Salyer,  
Smith,  
G. B. Turner,  
Wilkinson,  
Wright, 29

## NAYS.

Mr. Allen,  
Buck,

Mr. Dayton,  
Ferguson,

Mr. McNeil,  
Moran,

Chittenden,	Fox,	Morton,	
Coe,	Hartsuff,	O'Malley,	
Coman,	Hatch,	Stevens,	
H. H. Comstock,	Hawley,	J. W. Turner,	
O. C. Comstock,	Holmes,	Tuttle,	
David,	Kilborn,	Waite,	
Davis,	Lockwood,	Speaker,	27

Mr. Penoyer, from the committee on ways and means, reported back the bill to suppress monopolies and to repeal obnoxious laws, together with a substitute therefor, in accordance with the instructions of the House, which report was accepted and the committee discharged from the further consideration of the subject, and

On motion of Mr. Ingersoll,

The bill and substitute were laid on the table.

Mr. O. C. Comstock, from the committee on education, to whom was referred the Senate bill in relation to school district number six in the township of Barry, in the county of Barry, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be read the third time.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the Senate joint resolution relative to the discharge of a certain mortgage, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the Senate bill to consolidate the laws in relation to county courts, and for other purposes, reported the same back without action, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom was referred the Senate bill giving the circuit courts jurisdiction in actions of ejectment, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the

bill was referred to the committee of the whole and placed on the general order.

Mr. Morton, from the committee on state affairs, to whom was referred the bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the minority of the committee on ways and means, submitted the following report, which was accepted:

The committee on ways and means, to whom was referred the Senate bill to create a state board of equalization, and to apportion the state tax among the several counties of the state, have had the same under consideration, and the undersigned, a minority of said committee, would most respectfully report:

That in the investigation of the subject matter embraced in the bill, the committee being satisfied that there is no such board of state equalizers demanded by the people, and that it would be a useless expense to create such board—it would be virtually creating another legislature, which in the opinion of your committee is not now needed. It is confidently believed that there will be a revision of the constitution within eighteen months, and then there undoubtedly will be provisions made for such board of state equalizers; and your committee can see no good reason why such board should now be created. If there are errors under the present system, let us forego the necessity of taxing our citizens for the assembling of such a body of men, until after the revision of the constitution. Your committee do not deem it advisable to make a lengthy report upon the merits or demerits of said bill, but are convinced that it is wholly premature and uncalled for, at the present time, and earnestly hope that it will not pass.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported a bill to repeal section twenty of chapter ninety-one of the revised statutes, which was read twice, ordered to be printed, referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the same committee, reported that the follow-



ing entitled bills and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to incorporate the Monroe and Belleville plank road company;

A bill to authorize the plats of the villages of Orion and New Canandaigua City, in the township of Orion, in the county of Oakland, to be recorded; and

A joint resolution authorizing the Auditor General to draw certain warrants.

Mr. Parkhurst, from the same committee, reported that the following entitled bills were correctly engrossed, viz:

A bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes;

A bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent;

A bill to establish the boundary line between the townships of Ash and Frenchtown;

A bill to authorize William Buntin to convey certain real estate to the Olivet Institute, in the county of Eaton;

A bill to require the county treasurers to cancel and adjust certain sales of lands for taxes; and

A bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company;

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 28, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act to incorporate the Dexter and Michigan plank road company, approved April third, eighteen hundred and forty-eight;

An act appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton; and

An act to amend an act entitled an act to establish an asylum for the deaf and dumb and blind, and also an asylum for the insane of the state of Michigan;

EPAPHRO. RANSOM.

EXECUTIVE OFFICE, }  
 Lansing, March 26, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

- An act to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March twenty-seventh, A. D. one thousand eight hundred and forty-eight;

An act to amend an act entitled an act to issue patents in certain cases, approved April twenty-eighth, one thousand eight hundred and forty-six; and

A joint resolution relative to certain state property.

EPAPHRO. RANSOM.

• The following message was received from the Senate:

SENATE CHAMBER, }  
 Lansing, March 27, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

- A bill to provide for draining certain low lands in the vicinity of Detroit;

- A bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of Lagrange, in the county of Cass;

- A bill appropriating certain highway taxes for the improvement of a road leading from Paw Paw to Breedsville, by the way of Lawrence, in the county of Van Buren;

- A bill to provide for laying out a state road from Ohio, north to the village of Hudson;

- A bill to lay out a state road in the county of Ottawa;

- A bill to vacate certain alleys in the village of Albion, in the county of Calhoun;

- A bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

A bill to amend an act entitled an act to amend an act to incorporate the village of Marshall and for other purposes;

A bill to authorize the commissioners of highways of the township of Pulaaki, in the county of Jackson, to discontinue and alter a certain state road in said township; and

A bill to provide for the service of writings, processes and notices in certain cases, upon persons in the employ of certain corporate companies.

Also, the following entitled bills, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the North American health insurance company;

A bill to authorize Asquiro W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

A bill to authorize the perfecting of the records of public highways, and for other purposes; and

A bill to provide for the location of the seat of justice in the county of Kent.

Also, the following entitled joint resolution, and to respectfully inform you that the Senate have non-concurred therein, viz:

Joint resolution relative to the claim of John M. Van Aikin.

Also, the following entitled bill and joint resolution, and to respectfully inform you that the Senate have receded from their amendments thereto, viz:

A bill to incorporate the Native copper company; and

Joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to incorporate the Grand Rapids hydraulic company;

A bill to amend chapter ninety-four of the revised statutes, in relation to criminal proceedings before justices of the peace;

A bill providing for the payment of fees of certain officers for services rendered in criminal cases;

A bill to alter and lay out a certain state road;

A bill to authorize the supreme court to make rules regulating the practice in the circuit and county courts, in cases where a non-joinder or mis-joinder of parties occur;

A bill to amend section seven of chapter one hundred and sixteen of the revised statutes of 1846;

A bill to encourage the publication of the reports of the geological and lineal surveys, and accompanying maps of the upper peninsula of Michigan;

A bill to incorporate the Union mining company;

A bill to authorize the Michigan southern railroad company to repair their road with heavy rails, and for other purposes;

A bill to authorize the executors or administrators of the estate of the late James B. Clark, to sell certain real estate.

I am further instructed to respectfully inform you that the Senate have concurred in the amendments of the House to the bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, and have ordered the same as amended to be enrolled.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The following entitled bills and joint resolution were ordered to be enrolled, viz :

A bill to provide for draining certain low lands in the vicinity of Detroit;

A bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of Lagrange, in the county of Cass;

A bill appropriating certain highway taxes for the improvement of a road leading from Paw Paw to Breedsville, by the way of Lawrence, in the county of Van Buren;

A bill to provide for laying out a state road from Ohio, north to the village of Hudson;

A bill to lay out a state road in the county of Ottawa;

A bill to vacate certain alleys in the village of Albion, in the county of Calhoun;

A bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

A bill to amend an act entitled an act to incorporate the village of Marshall, and for other purposes;

A bill to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to alter a certain state road in said township;

A bill to provide for the service of writings, processes and notices, in certain cases, upon persons in the employ of certain corporate companies;

A bill to incorporate the Native copper company; and

A joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb.

The following entitled Senate bills were severally read twice and referred to the committee on banks and incorporations, viz :

A bill to incorporate the Grand Rapids hydraulic company;

A bill to incorporate the Union mining company; and

A bill to authorize the Michigan southern railroad company to repair their road with heavy rails, and for other purposes.

The Senate bill to authorize the executors or administrators of the estate of James B. Clark to sell certain land, was read twice, when

Mr. Chamberlain moved a suspension of the rule, which motion prevailed, and

The bill was ordered to be read the third time.

The following entitled Senate bills were severally read twice and referred to the committee on the judiciary, viz:

A bill to amend chapter ninety-four of the revised statutes, in relation to criminal proceedings before justices of the peace;

A bill providing for the payment of fees of certain officers for services rendered in criminal cases;

A bill to authorize the supreme court to make rules regulating the practice in the circuit and county courts, in cases where a non-joinder or mis-joinder of parties occur; and

A bill to amend section four of chapter one hundred and sixteen of the revised statutes of 1846.

The Senate bill to alter and lay out a certain state road, was read twice and referred to the committee on roads and bridges.

The Senate bill to encourage the publication of the reports of the geological and lineal surveys and accompanying maps of the upper

peninsula of Michigan, was read twice and referred to the committee on state affairs.

The Senate amendments to the following entitled bills were severally concurred in, and the bills as amended were ordered to be enrolled, viz:

A bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

A bill to authorize the perfecting of the records of public highways, and for other purposes; and

A bill to provide for the location of the seat of justice in the county of Kent.

The Senate amendments to the bill to incorporate the North American health insurance company, were concurred in by a two-thirds vote, and the bill as amended was ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 27, 1849.)

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill for the relief of David A. Wright, which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill for the relief of David A. Wright was read twice and referred to the committee on the judiciary.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 27, 1849.)

*To the Senate and House of Representatives:*

The Senate and House of Representatives are respectfully informed that I am prepared to submit to both branches of the legislature, in joint convention, a nomination for Superintendent of public instruction, at such time as shall suit the convenience of the two Houses.

EPAPHRO. RANSOM.

Mr. Ingersoll offered the following preamble and resolution, which were adopted, viz:

*Whereas*, Senate bill number seventeen, entitled a bill supplemen-

tary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto, has been taken from the files of the House; therefore

*Resolved*, That a committee of two be appointed to inform the Senate of the above recited fact, and to respectfully request the transmission of another copy to this House, at their earliest convenience.

The Speaker appointed Messrs. Ingersoll and Chittenden as such committee, who, after a short absence, returned and reported that they had discharged the duty assigned them.

Mr. Hawley offered the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the two Houses will meet in joint convention to-day, at three o'clock P. M., to receive such communication as the Executive may deem fit to make.

On motion of Mr. H. H. Comstock,

The rule was suspended, and

The concurrent resolution was then adopted.

On motion of Mr. Cady,

The bill to incorporate the Frederick and Utica plank road company, was taken from the table, and

The amendments reported thereto by the committee of the whole, were severally concurred in.

On motion of Mr. Cady,

The following words were added to section two, viz: "and said company may construct said road on the heel path of so much of the Clinton and Kalamazoo canal, lying on the route of said road, as they may see fit."

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Davis,

The vote by which the bill to amend chapter twenty-four of the revised statutes of 1846, was lost on its passage, was reconsidered; and

The question recurring on the passage of the bill, it was passed.

On motion of Mr. Fox,

The committee of the whole were discharged from the further consideration of the bill to provide for the support and maintenance of the state prison at Jackson, and for the completion of the main building thereof.

On motion of Mr. H. H. Comstock,

The bill was laid on the table.

On motion of Mr. Bowne,

The vote by which the following resolution was adopted, was reconsidered:

*Resolved*, That a select committee of three be appointed by the chair, to inquire into the expediency of repealing so much of the act entitled an act for the payment of the officers and members of the legislature, as allows the Speaker six dollars per day.

On motion of Mr. Bowne.

The further consideration of the resolution was indefinitely postponed.

On motion of Mr. Chittenden,

The bill to incorporate the grand lodge of free and accepted masons of the state of Michigan, was taken from the table.

Mr. G. B. Turner moved the previous question, which was demanded, and the main question was ordered to be now put.

The main question being on the passage of the bill, was then put and decided in the affirmative, by the following vote, two-thirds voting in the affirmative:

#### YEAS.

Mr. Allen,	Mr. Fox,	Mr. Moffatt,
Bacon,	Flower,	Moran,
Belding,	Harger,	Parkhurst,
Cady,	Hartsuff,	Pennoyer,
Campbell,	Hatch,	Stoddard,
Chamberlain,	Hawley,	Turrill,
Chittenden,	Ingersoll,	Tuttle,
O. C. Comstock,	Kilborn,	Speaker, 26
Davis,	Lovell,	

#### NAYS.

Mr. Andrews,	Mr. A. Gillet,	Mr. G. B. Turner,
H. H. Comstock,	Haight,	J. W. Turner,
Dayton,	Hammond,	Waite,
Ferguson,	Holmes,	Wilkinson, 12

Mr. A. Gillet moved a reconsideration of the vote by which was indefinitely postponed the further consideration of the bill to extend the corporate limits of the village of Kalamazoo;

Pending which,

Mr. Pennoyer moved a call of the House, which was had, and it was found that Messrs. Buck, Coe, Coman, David, Deming, McNeil, Morton, Mulhollen and O'Malley were absent without leave.

On motion of Mr. Hawley,



All further proceedings under the call were dispensed with.

The question then recurring on the motion to reconsider, it was decided in the negative.

On motion of Mr. G. B. Turner,

The bill to consolidate the laws in relation to county courts, and for other purposes, was taken from the general order and made the special order for to-day.

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill to incorporate the Saginaw and Grand river canal company; and

The bill was ordered to be read the third time.

Mr. Davis, pursuant to previous notice, asked leave to introduce a joint resolution to provide for the payment of N. Buel Eldredge, while claiming a seat in the House of Representatives from the county of Lapeer, which leave was not granted.

On motion of Mr. Chittenden,

The committee of the whole were discharged from the further consideration of the bill to amend section forty-six of chapter thirty of the revised statutes of 1846.

Mr. Ingersoll moved that the bill be laid on the table, which motion prevailed.

Mr. Andrews gave notice that he would on some future day ask leave to introduce a bill to provide for the pay of N. Buel Eldredge, while claiming a seat in this House during the present session.

On motion of Mr. Kilborn,

The committee of the whole were discharged from the further consideration of the bill relative to the admission of attorneys, solicitors and counsellors.

Mr. Chittenden moved that the bill be amended by adding to section one the following: "and such attorneys, so admitted to practice, shall be denominated one horse attorneys."

On motion of Mr. Coe,

The House adjourned.

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AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, was called to order by the Speaker,

And resumed the consideration of the bill relative to the admission of attorneys, solicitors and counsellors; and

The question being on the amendment moved this morning by Mr. Chittenden, it was rejected.

Mr. Lovell moved that the fourth line of section one be amended by inserting the words "and in open court," before "judge," which motion was lost.

Mr. Buck moved that the words "or any two justices of the peace," be inserted after "court," in the second line of section one, which amendment was not agreed to.

Mr. Buck moved that the further consideration of the bill be indefinitely postponed, which motion was lost;

And the bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, the bill was placed on the order of bills for a third reading.

The following message was received from the Senate:

SENATE CHAMBER. {  
Lansing, March 27, 1849.}

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto, which bill was lost from the files of the House, and which is now again transmitted, in accordance with the request of the committee on the part of the House, of this date.

I am further instructed to return herewith the concurrent resolution fixing the time for meeting in joint convention to act on any communication which the Executive may make, and to respectfully inform you that the Senate have concurred therein.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The Senate bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto, was read twice, and

On motion of Mr. Ingersoll,

Placed in the same position on the general order as was the former bill on the same subject.

On motion of Mr. Wright,

The committee of the whole were discharged from the further consideration of the bill appropriating certain non-resident highway taxes for the improvement of the Pontiac and Grand river road, and the bill was ordered to be read the third time.

On motion of Mr. O'Malley,

The bill to amend section forty-six of chapter thirty of the revised statutes of 1846, was taken from the table.

Mr. O'Malley moved that the bill be amended by striking out of the fourth line, the words "sale within, or," which motion prevailed.

Mr. Coe moved that all after the enacting clause be stricken out of the bill, and the following inserted, which motion prevailed, viz :

"That if any master of a vessel, or other person, shall transport from this state any pickled fish not inspected and branded, as provided in chapter thirty of the revised statutes, he shall forfeit a sum not exceeding ten dollars for every cask of fish thus transported."

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Chittenden,

The bill to revive and continue in force an act entitled an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, under the name and style of the Detroit fire and marine insurance company, was taken from the table, and

The bill was ordered to be read the third time.

On motion of Mr. Pennoyer,

The bill to repeal section five of an act entitled an act relative to state printing, approved March 12, 1849, was taken from the table, and

The bill was ordered to be engrossed and read the third time.

Mr. Pennoyer moved a suspension of the rule so that the bill might now receive its third reading, which motion prevailed, and the engrossment being dispensed with,

The bill was read the third time and passed.

Mr. Buck moved that the title be amended so as to read "a bill to marry the Free Press and Michigan State Journal," which motion was lost, and the original title was agreed to.

On motion of Mr. J. W. Turner,

The bill to suppress monopolies and to repeal obnoxious laws, together with a substitute therefor, was taken from the table.

\* Mr. H. H. Comstock moved that the further consideration of the bill and substitute be indefinitely postponed, which motion prevailed.

The hour of three o'clock having arrived,

Mr. Ingersoll moved that a committee of two be appointed to wait on the Senate and inform them that the House was now ready to meet them in joint convention in pursuance of the concurrent resolution adopted this morning, which motion was agreed to, and

The Speaker appointed Messrs. Ingersoll and Comstock as such committee, who after a short absence returned and reported that they had discharged the duty assigned them.

The Honorable the Senate of the state of Michigan was then announced, and conducted to seats prepared for them.

#### PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President of the Senate, who stated that the convention had met for the purpose of receiving and acting upon any communication which the Executive might see proper to make.

Senator Hart offered the following resolution, which was adopted:

*Resolved*, That a committee of three be appointed (one from the Senate and two from the House) to wait upon his Excellency the Governor, and inform him that the two Houses are now convened in joint convention, prepared to consider any nomination which he may be pleased to make to the joint convention.

The President appointed Senator Hart and Messrs. Coe and Ferguson as the committee under the resolution, who, after a short absence, returned and reported that they had discharged the duty assigned them, and had received for answer, that the Executive would immediately communicate with the joint convention in writing.

The following communication was received from the Executive, by the hands of his private Secretary.

EXECUTIVE OFFICE, }  
Lansing, March 27, 1849. }

*To the Senate and House of Representatives;*

I hereby nominate Francis W. Shearman, for the office of superintendent of public instruction, for the constitutional term, to commence on the 19th day of April next, when the term of the present incumbent will have expired.

EPAPHRO. RANSOM.

The nomination of Francis W. Shearman as superintendent of public instruction, for the constitutional term, was advised and consented to, by the following vote:

*Senators.*

YEAS.

Mr. Berry, Dort, Finley, Griswold, Hart,	Mr. King, Loomis, McCabe, McKinney, Robinson,	Mr. Roof, Shoemaker, Thomson, Waldo,	14
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NAYS.

Mr. Baxter, Dunham, Isbell,	Mr. Redfield, Snow, Summers,	Mr. Walbridge, Webb,	8
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*Representatives.*

YEAS.

Mr. Allen, Andrews, Bacon, Belding, Bowne, Burk, Chamberlain, Chittenden, O. C. Comstock, Davis, Deming,	Mr. Ferguson, Fox, Flower, Harger, Hartsuff, Hatch, Holmes, Ingersoll, Kilborn, McNair,	Mr. Moran, O'Malley, Parkhurst, Smith, Stevens, G. B. Turner, J. W. Turner, Wilkinson, Wright, Speaker,	31
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NAYS.

Mr. Buck, Cady, Coe, Coman, H. H. Comstock, David, Dayton, Earl, Giddings,	Mr. A. Gillet, Haight, Hammond, Hawley, Hobart, Lockwood, Lovell, Matthews, McNeil,	Mr. Moffatt, Morton, Mulhollen, Pennoyer, Salyer, Stoddard, Turrill, Tuttle, Waite,	27
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On motion of Senator Thomson,  
The joint convention adjourned.

W. L. BANCROFT,

*Secretary of the Senate.*

A. W. HOVEY,

*Clerk of the House of Representatives.*

The House was called to order by the Speaker, who announced

that the Senate and House of Representatives, in joint convention assembled, had advised and consented to the nomination of Francis W. Shearman, as superintendent of public instruction for the constitutional term, to commence on the 19th day of April next.

Mr. Chittenden moved an adjournment, but the House refused to adjourn.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the bill to incorporate the Frederick and Utica plank road company was correctly engrossed.

The bill appropriating certain non-resident highway taxes for the improvement of the Pontiac and Grand river road, was read the third time, when

Mr. Lockwood moved that it be recommitted to the committee on roads and bridges, with general instructions, which motion was lost.

Mr. J. W. Turner moved that the bill be laid on the table, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Hartsuff,	Mulhollen,
Chittenden,	Hawley,	O'Malley,
Coman,	Kilborn,	Stevens,
O. C. Comstock,	Lockwood,	G. B. Turner,
David,	Matthews,	J. W. Turner,
Earl,	Moran,	Tuttle,
Flower,		

19

## NAYS.

Mr. Allen,	Mr. Fox,	Mr. Parkhurst,
Belding,	A. Gillet,	Pennoyer,
Buck,	Haight,	Smith,
Burk,	Hammond,	Salyer,
Cady,	Hatch,	Turrill,
Chamberlain,	Holmes,	Waite,
Coe,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,
Dayton,	Moffatt,	Speaker,
Deming,		

28

Mr. Andrews moved that the bill be made the special order for to-morrow.

Mr. Chittenden moved to amend the motion so as to make the bill the special order for Tuesday next, which motion was lost, and

The question recurring on the motion of Mr. Andrews, it was decided in the negative.

The bill was then passed.

The following entitled bills were severally read the third time and passed, viz:

A bill to authorize the executors or administrators of the estate of James B. Clark, to sell certain land;

A bill in relation to school district number six in the township of Barry, in the county of Barry;

A bill to amend chapter one hundred and twenty-three of the revised statutes of 1846;

A bill to require the county treasurers to cancel and adjust certain sales of lands for taxes;

A bill to authorize William Buntin to convey certain real estate to the Olivet institute, in the county of Eaton;

A bill to establish the boundary line between the townships of Ash and Frenchtown;

A bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent;

A bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes;

A bill to authorize township boards to raise money in certain cases to defray township expenses; and

A bill relative to the admission of attorneys, solicitors and counsellors.

The following entitled bills were severally read the third time and each passed by a two-thirds vote:

A bill to incorporate the Frederick and Utica plank road company;

A bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company;

A bill to incorporate the Saginaw and Grand river canal company;

A bill to incorporate the North-Western health insurance company; and

A bill to revive and continue in force an act entitled an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, under the name and style of the Detroit fire and marine insurance company.

The bill to incorporate the Farmers' and Merchants' bank of Ann Arbor, was read the third time, and the question being on its passage,

The rule was suspended, and the engrossment being dispensed with, The bill was read the third time and passed.

Mr. Morton, from the committee on state affairs, to whom was referred the Senate bill to encourage the publication of the reports of the geological and lineal surveys and accompanying maps of the upper peninsula of Michigan, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the Senate bill providing for the payment of fees of certain officers for services rendered in criminal cases, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was referred to the committee of the whole and placed on the general order.

Mr. Ferguson, from the same committee, to whom were referred the following entitled Senate bills, reported the same back with sundry amendments, and recommended their passage, viz:

A bill to amend section four of chapter one hundred and sixteen of the revised statutes of 1846;

A bill to authorize the supreme court to make rules regulating the practice in the circuit and county courts in cases where a non-joinder or a mis-joinder of parties occur; and

A bill for the relief of David A. Wright,

Which report was accepted and the committee discharged from the further consideration of the subjects, and the bills were referred to the committee of the whole and placed on the general order.

Mr. Davis, from the committee on roads and bridges, to whom was referred the Senate bill to alter and lay out a certain state road, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Coe, from the committee on the judiciary, to whom was referred the Senate bill to amend chapter ninety-four of the revised stat-



utes, in relation to criminal proceedings before justices of the peace, reported the same back, together with a substitute therefor, which report was accepted, and the committee discharged from the further consideration of the subject, and

On motion of Mr. Coe,

The bill and substitute were laid on the table, and the substitute ordered to be printed.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a certain state road in state township;

A bill to provide for the service of writings, processes and notices in certain cases upon persons in the employ of certain corporate companies;

A bill to incorporate the Lansing coal company;

A bill to authorize the perfecting of the records of public highways, and for other purposes;

A bill to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

A bill to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county; to the village of Lagrange, in the county of Cass;

A bill for the improvement of the state road leading from the village of Portland, in Ionia county, to the Grand river road, in the county of Clinton;

A bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

A bill to vacate certain alleys in the village of Albion, in the county of Calhoun; and

A joint resolution relative to a donation of lands by the general government for the erection of state asylums for the insane, blind, deaf and dumb.

Mr. Parkhurst, from the same committee, reported that the bill to amend section forty-six of chapter thirty of the revised statutes of 1846, was correctly engrossed.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 27, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to incorporate the Monroe and Belleville plank road company.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 28, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the following entitled bills, which are herewith returned, viz:

A bill supplementary to an act entitled an act to establish a state Normal school;

A bill to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego; and

A bill to vacate the village plat of the village of Bloomingrove, in the county of Berrien.

I am further instructed to return herewith the following entitled bills, which the Senate have passed, with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill for the dissolution of a certain school district in the county of Oakland;

A bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakspeare, and for other purposes;

A bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, in Oakland county; and

A bill to incorporate the Phoenix copper company.

Also, a bill to vacate a certain part of the village plat of the village of Tekonsha, in the county of Calhoun, and to respectfully inform you that the Senate have concurred in the amendments of the House thereto, with an amendment to the third of said amendments, in which the concurrence of the House is respectfully asked.

I am further instructed to transmit herewith a bill relative to com-

victs sentenced to solitary confinement in the state prison for life, which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill supplementary to an act entitled an act to establish a state Normal school:

The bill to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego; and

The bill to vacate the village plat of the village of Bloomingrove, in the county of Berrien,

Were ordered to be enrolled.

The Senate bill relative convicts sentenced to solitary confinement in the state prison for life, was read twice and referred to the committee on the judiciary.

The Senate amendment to the House amendment to the bill to vacate a certain part of the village of Tekonsha, in the county of Calhoun, was concurred in.

The Senate amendments to the following entitled bills were severally concurred in, and the bills as amended were ordered to be enrolled:

A bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakspeare, and for other purposes;

A bill for the dissolution of a certain school district in the county of Oakland; and

A bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, in Oakland county.

The Senate amendments to the bill to incorporate the Phoenix copper company, were concurred in, in gross, by a two-thirds vote, and the bill as amended was ordered to be enrolled.

On motion of Mr. Pennoyer,

The House went into committee of the whole on the bill making appropriations to defray certain expenses authorized for the year 1849, and the bill making appropriations for salaries of the state officers for the year 1849, Mr. J. W. Turner, in the chair, and

After spending some time thereon, the committee rose, reported progress, and asked and obtained leave to sit again thereon.

On motion of Mr. Bacon,  
The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, was called to order by the Speaker, and

And went into committee of the whole on the bill making appropriations to defray certain expenses authorized for the year 1849, Mr. J. W. Turner in the chair, and

After spending some time thereon the committee rose and by their chairman reported the bills back with sundry amendments, in which the concurrence of the House was asked.

The amendment to the bill striking out the words "J. P. King, John N. Ingersoll and Charles M. O'Malley, Senator and Representatives for the counties of Mackinac and Chippewa, the sum of ninety dollars each, for expenses incurred before and after the session," which was concurred in, by the following vote:

YEAS.

Mr. Andrews,	Mr. Fox,	Mr. McNair,
Bacon,	A. Gillet,	McNeil,
Belding,	Haight,	Moffatt,
Buck,	Hammond,	Moran,
H. H. Comstock,	Harger,	Parkhurst,
David,	Hawley,	Smith,
Davis,	Hobart,	G. B. Turner,
Deming,	Lovell,	Turrill,
Earl,		

25

NAYS.

Mr. Allen,	Mr. Holmes,	Mr. Salyer,
Burk,	Matthews,	Stevens,
Chittenden,	Morton,	Stoddard,
O. C. Comstock,	Mulhollen,	Tuttle,
Dayton,	Pennoyer,	Speaker

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The remainder of the amendments were concurred in, in gross.

Mr. Chittenden moved to amend the bill by inserting after "cents" in the forty-sixth line, the words "ninety dollars to J. P. King and Charles M. O'Malley, the Representative and Senator from Mackinac."

Mr. Holmes moved to amend the amendment by striking out "nety" and inserting "fifty," which motion was lost, and

The question recurring on the amendment moved by Mr. Chittenden, it was rejected by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Ingersoll,	Mr. Salyer,	
Burk,	Kilborn,	Stoddard,	
Chittenden,	Moran,	Tuttle,	
O. C. Comstock,	Morton,	Waite,	
David,	Mulhollen,	Speaker,	17
Flower,	Pennoyer,		

NAYS.

Mr. Andrews,	Mr. Fox,	Mr. Matthews,	
Bacon,	A. Gillet,	McNair,	
Belding,	Haight,	McNeil,	
Buck,	Hammond,	Moffatt,	
Coe,	Harger,	Parkhurst,	
H. H. Comstock,	Hawley,	Smith,	
Davis,	Hobart,	Stevens,	
Dayton,	Holmes,	G. B. Turner,	
Deming,	Lockwood,	Turrill,	
Earl,	Lovell,	Wilkinson,	30

Mr. Ingersoll moved to amend the bill, by inserting after "cent," in the forty-sixth line, the words "ninety dollars to Charles M. O'Malley, the Representative from the county of Mackinac."

Mr. H. H. Comstock moved to amend the amendment by adding thereto the words "and to John N. Ingersoll, the Representative from the county of Chippewa," which motion prevailed.

The question then recurring on the amendment as amended, it was rejected, by the following vote:

YEAS.

Mr. Bowne,	Mr. Kilborn,	Mr. Salyer,	
Burk,	Matthews,	Stevens,	
Chittenden,	Moran,	Stoddard,	
O. C. Comstock,	Morton,	Tuttle,	
Flower,	Mulhollen,	Waite,	
Hartsuff,	Pennoyer,	Speaker,	18

NAYS.

Mr. Andrews,	Mr. Ferguson,	Mr. Lockwood,
Bacon,	Fox,	Lovell,
Belding,	A. Gillet,	McNair,
Buck,	Haight,	McNeil,
Coe,	Hammond,	Moffatt,
H. H. Comstock,	Harger,	Parkhurst,

Davis,  
Dayton,  
Deming,  
Earl,

Hawley,  
Hobart,  
Holmes,

Smith,  
G. B. Turner,  
Wilkinson,

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The bill was then ordered to be engrossed and read the third time.

The amendments reported by the committee of the whole to the bill making appropriations for salaries of the state officers for the year 1849, were severally concurred in.

On motion of Mr. Hawley,

The following was added to section two of the bill: "and the further sum of two hundred and seventy-six dollars is hereby appropriated out of the general fund, and the State Treasurer is hereby authorized and directed out of the above appropriation, to pay the assistant librarian the sum of three dollars per day during the time he has been in the service of the state during the present session of the legislature, to be paid on the certificate of the Secretary of State."

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Coe,

The bill to incorporate the Farmers' and Merchants' bank of Ann Arbor, was taken from the table, and

The question being on the passage of the bill, it was passed by a two-thirds vote, as follows :

#### YEAS.

Mr. Allen,  
Andrews,  
Belding,  
Buck,  
Chittenden,  
Coe,  
H. H. Comstock,  
O. C. Comstock,  
Dayton,  
Earl,  
Fox,

Mr. Giddings,  
A. Gillet,  
Haight,  
Hammond,  
Hartsuff,  
Hobart,  
Holmes,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,

Mr. McNeil,  
Moffatt,  
Moran,  
Morton,  
Mulhollen,  
Salzer,  
Smith,  
Stoddard,  
Turrill,  
Waite,

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#### NAYS.

Mr. Bacon,  
Davis,  
Ferguson,  
Deming,

Mr. McNair,  
Parkhurst,  
Pennoyer,

Mr. G. B. Turner,  
Wilkinson,  
Speaker,

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On motion of Mr. O. C. Comstock,

The committee of the whole were discharged from the further con-

sideration of the bill to authorize Adrian Union school district number one to borrow money for the purposes therein mentioned, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was read the third time and passed.

On motion of Mr. Fox,

The bill to provide for the support and maintenance of the state prison at Jackson, and for the completion of the main building thereof, was taken from the table.

And the bill was ordered to be read the third time.

Mr. Lockwood, pursuant to previous notice, asked and obtained leave to introduce a bill appropriating certain non-resident highway taxes on the road leading from Hillman's, in the county of Livingston, to Pontiac, in the county of Oakland, which was read twice.

On motion of Mr. Lockwood,

The rule was suspended, and the bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was read the third time and passed.

On motion of Mr. Chittenden,

The committee of the whole were discharged from the further consideration of the joint resolution relative to the claim of Doty and Abbott, and

The joint resolution was ordered to be read the third time, was so read and was passed.

Mr. Andrews offered the following resolution:

*Resolved*, That the Sergeant-at-Arms be directed to proceed forthwith after Hon. Barnabas C. Hatch, and that he bring him to the bar of this House with all convenient despatch.

On motion of Mr. Chittenden,

The resolution was made the special order of the day for Wednesday next.

On motion of Mr. H. H. Comstock,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act to incorporate the Jackson mining company of Jackson; and

The bill was ordered to be read the third time, was so read, and was passed by a two-thirds vote.

On motion of Mr. H. H. Comstock,

The committee of the whole were discharged from the further consideration of the bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants now settling in the counties of Ottawa and Allegan.

On motion of Mr. Hawley,

The House adjourned.

*Thursday, March 29, 1849:*

The House met pursuant to adjournment, and was called to order by the Speaker,

Prayer by Rev. Mr. Richards.

The roll was called, and Messrs. Gurtis, M. S. Gillett, St. Clair and Tilden were absent on leave, and Mr. Hatch was absent without leave.

Mr. Chittenden asked and obtained leave of absence for Mr. Bowne for the remainder of the session, and for Mr. H. H. Comstock for an indefinite period after to-morrow noon.

Mr. Ferguson, from the committee on the judiciary, to whom was referred the Senate bill relative to convicts sentenced to solitary confinement in the state prison for life, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 28, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to establish a state Normal school.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE, }  
Lansing, March 28, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,



An act to authorize proceedings against garnishees, and for other purposes;

An act to amend and consolidate the act to incorporate the stockholders of the Michigan Insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto; and

An act to incorporate the president, directors and company of the Peninsular bank.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE,  
Lansing, March 28, 1849.]

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to vacate certain alleys in the village of Albion, in the county of Calhoun;

An act to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county;

An act to authorize the plats of the villages of Orion and New Canandaigua City, in the township of Orion, in the county of Oakland, to be recorded;

An act for the improvement of the state road leading from the village of Portland, in Ionia county, to the Grand river road, in the county of Clinton;

An act to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a state road in said township;

An act to provide for the service of writings, processes and notices in certain cases upon persons in the employ of certain corporate companies;

An act to authorize the perfecting of the records of public highways, and for other purposes;

An act to authorize Asquire W. Aldrich to build a dam across the Clinton river, in the county of Macomb;

An act to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of Lagrange, in the county of Cass; and

An act to incorporate the Lansing coal company; also,

charged from the further consideration of the bill appropriating certain non-resident highway taxes for the improvement of the road running from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White Lake, to the village of Pontiac, in the county of Oakland.

Mr. Coe moved to amend the motion so as to include all bills on the general order, which motion prevailed, and

The question recurring on the motion as amended, was lost.

The following entitled bills were severally read the third time and passed, viz:

A Bill making appropriations to defray certain expenses authorized for the year 1849;

A bill making appropriation for salaries of the state officers for the year 1849;

A bill to provide for the support and maintenance of the state prison at Jackson, and for the completion of the main building thereof; and

A bill to amend section forty-six of chapter thirty of the revised statutes of 1846.

On motion of Mr. Coe,

The title of the last named bill was amended by substituting therefor the words "a bill to prevent the transportation of pickled fish without inspection,"

Mr. Coe moved that the bill to consolidate the laws in relation to county courts, and for other purposes, be referred to the committee of the whole and placed on the general order.

Mr. Hawley offered the following resolution:

*Resolved*, That the committee on supplies and expenditures be instructed to ascertain the amount of postage charged to the state by the deputy-postmaster of Lansing, for letters, papers and documents sent and received by the members of this House since the first day of February, 1849, and that they report the same as soon as practicable.

Which resolution was adopted, by the following vote :

YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,

Mr. Deming,  
Flower,  
Giddings,  
Haight,

Mr. Moffatt,  
Moran,  
Morton,  
Mulhollen,

Buck,	Harger,	Pennoyer,
Burk,	Hawley,	Salyer,
Cady,	Hobart,	Smith,
Campbell,	Holmes,	Stevens,
Chittenden,	Kilborn,	Stoddard,
Coe,	Lockwood,	J. W. Turner,
Coman,	Lovell,	Turrill,
O. C. Comstock,	Matthews,	Tuttle,
David,	McNair,	Wilkinson,
Davis,	McNeil,	Wright,

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NAYS.

Mr. Bowne,	Mr. Earl,	Mr. Ingersoll,
Chamberlain	Fox,	Speaker,
Dayton,	Hartsuff,	

8

On motion of Mr. Chamberlain,

The House resolved itself into a committee of the whole on the general order, Mr. Deming in the chair, and after spending some time thereon, the committee rose and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Salyer,

The House adjourned.

AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, was called to order by the Speaker, and

Went into committee of the whole on the general order, Mr. Deming in the chair, and after spending some time thereon, the committee rose and reported back the bill to consolidate the laws in relation to county courts, and for other purposes, with sundry amendments, in which the concurrence of the House was asked.

Mr. Chittenden moved that the bill be laid on the table, which motion was lost.

On motion of Mr. Hawley,

All the amendments to the bill reported by the committee, except the amendment to section thirty-three, were concurred in, in gross.

The question being on concurring in the amendment to section thirty-three, being a substitute therefor in the following words:

Sec. 33. All issues of law shall be heard and determined by the court; and all issues of fact in civil cases, whether arising on appeal or otherwise, shall, on demand of either party, be tried by a jury to

consist of not less than six, nor more than twelve, at the option of the party demanding the same: *Provided*, It shall be competent for the parties to stipulate for the trial of such cause by any number of jurors; and if no jury be demanded by either party, the issue shall be tried by the court. The demand for a jury shall be accompanied by the payment to the clerk of the sum of three dollars for a jury of six, and in that proportion for a greater or less number.

Mr. Chamberlain moved to amend the amendment by adding to the substitute the following :

At least fourteen days before the holding of any county court, the prosecuting attorney, county judge and clerk, or any two of them, shall, by an order for that purpose, determine whether a grand jury shall be summoned to attend at such term, and also whether it be necessary to summon a petit jury, and the number of petit jurors, which number shall not be less than twelve nor more than twenty-four, and such order shall be in writing and filed with the clerk.

Within two days after such determination, the clerk shall proceed to draw from the petit jury box the number of persons designated in such order to serve as petit jurors, and also, when so determined, from the grand jury box the names of twenty-three persons to serve as grand jurors.

Which motion was lost, and the question recurring on concurring in the amendment reported by the committee of the whole, it was non-concurred in,

Mr. Coe offered the following amendments to the bill, viz:

*First.* Amend section twenty-five by striking out all after the word "established," in the fourth line, to and including the word "thereof," in the sixth line.

*Second.* Insert a new section, to stand as section fifty-two, as follows:

Sec. 52. In all cases of appeal from judgments rendered in justices' courts, the provisions of law relating to the admissibility of the testimony of a party in the justices' court, shall be applicable on the trial of any such cause in the county court.

*Third.* Insert a new section, to stand as section fifty-three, as follows:

Sec. 53. Parties to any civil cause or proceeding pending in any county court, may agree in writing upon the facts in such cause or

proceeding, and submit the same to the court; and such court shall thereupon render judgment in the cause so submitted; and if either party shall be dissatisfied with such judgment, a bill of exceptions to the opinion of the court may be tendered, and the judgment removed to the circuit court for the same county, by a writ of error.

*Fourth.* Strike out section eighty-four, and insert the following in lieu thereof:

Sec. 84. All indictments found by the grand jury in any county court, shall be tried in such court, unless the person indicted shall in writing, file with the clerk, at the time he may be required to plead, elect to have the same tried in the circuit court; in which case the clerk shall make an entry in his journal, of such election, and shall transmit the indictment and a copy of the record of the proceedings to the circuit court, which shall thereafter possess said cause, with full power to try or otherwise dispose of the same, and the defendant shall stand committed, or recognize with sureties, as the case may be, for his appearance on the first day of the next succeeding term of the circuit court of said county.

*Fifth.* Strike out section sixty-seven and insert the following in lieu thereof:

Sec. 67. No appeal shall be allowed of any cause tried or determined by a county court, but in all cases of judgment rendered by such court in any civil suit, either party thinking himself aggrieved or injured by such judgment or by any opinion or direction of the court, may remove the cause by bill of exceptions, certiorari or writ of error into the circuit court, for the same county in which such judgment was rendered.

*Sixth.* Strike out written section ninety, and insert the following:

Sec. 85. Any county court may, upon good cause shown, change the venue in any cause or matter pending therein, and direct the issue to be tried in the county court of some adjoining county, and shall make all necessary rules and orders for certifying and removing such cause or matter to the court in which such issue or matter shall be ordered to be tried or heard; and the court to which such cause or matter shall be removed, shall proceed to hear, try and determine the same as if such cause or matter had originally been commenced therein; and execution may thereupon be had as in other cases, except that in all criminal cases, where the defendant shall be convicted and be sen-

tenced to imprisonment in the common jail, the court awarding sentence shall direct that the defendant be imprisoned in the common jail of the county in which the prosecution was commenced.

*Seventh.* Insert a new section to stand as section eighty-two, as follows:

Sec. 82. The county shall not be chargeable to the sheriff for any services in attending the county court, except in criminal cases, unless the judge shall enter an order in the journal of the court requiring the attendance of such sheriff.

*Eighth.* Amend section forty-seven by inserting the words "upon proof of charges presented," after the word "services," in the second line.

Mr. H. H. Comstock moved the previous question, which was demanded, and the main question was ordered to be now put.

The question being on the pending amendments offered by Mr. Coe, the second, third, fourth, sixth, seventh and eighth amendments were severally adopted, and the first and fifth amendments were not adopted.

The bill was then ordered to be read the third time.

On motion of Mr. H. H. Comstock,

The rule was suspended so as to enable the bill to be now read the third time, and

The bill to consolidate the laws in relation to county courts, and for other purposes, was read the third time, when

Mr. Coe moved that it be recommitted to the committee on the judiciary, with instructions to amend the same by striking out sections sixty-seven and seventy-six, and insert the following in lieu thereof:

Sec. 67. No appeal shall be allowed of any cause tried or determined by a county court, but in all cases of judgment rendered by such court, in any civil suit, either party thinking himself aggrieved or injured by such judgment, or by any opinion or direction of the court, may remove the cause by bill of exceptions, certiorari or writ of error, into the circuit court, for the same county in which said judgment was rendered.

Sec. 76. The circuit court shall proceed in all cases of bills of exceptions, certiorari and writs of error, to give judgment in the cause as the right of the matter may appear, without regarding technical emissions, imperfections or defects in the proceedings before the court.

ty court, not affecting the merits, and may affirm or reverse the judgment of the county court, in whole or in part, or give such other judgment as justice shall require, and may in its discretion remand the cause to the county court, and order a new trial. In case of a remand and order for a new trial, the county court shall proceed to try such cause the same as in other cases.

Which motion prevailed.

Mr. J. W. Turner, from the committee on the judiciary, reported the bill back amended in accordance with the instructions, and

The question being on the passage of the bill, it was passed, by yeas and nays, as follows:

YEAS.

Mr. Andrews,	Mr. Fox,	Mr. Moffatt,
Bacon,	Giddings,	Mulhollen,
Belding,	Haight,	O'Malley,
Burk,	Hammond,	Parkhurst,
Cady,	Hawley,	Smith,
Campbell,	Hobart,	Stevens,
Chamberlain,	Holmes,	G. B. Turner,
Coe,	Ingersoll,	J. W. Turner,
H. H. Comstock,	Lockwood,	Tuttle,
O. C. Comstock,	Lovell,	Wilkinson
David,	McNair,	Speaker,
Davis,		

34

NAYS.

Mr. Allen,	Mr. Dayton,	Mr. Moran,
Bowne,	Deming,	Pennoyer,
Buck,	Harger,	Stoddard,
Chittenden,	Kilborn,	Waite,
Coman,	McNeil,	

14

On motion of Mr. Chittenden,

The House resolved itself into committee of the whole on the general order, Mr. Hawley in the chair,

And after spending some time thereon, the committee rose, and by their chairman, reported back to the House without amendment,

A bill to authorize the mayor, recorder and aldermen of the city of Detroit to raise an amount of money by tax;

A bill to incorporate the St. Clair, plank road company; and

A bill to authorize township clerks to subscribe for certain newspapers, and for other purposes.

And also reported back with sundry amendments in which the concurrence of the House was asked,

A bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto;

A bill to refer to the electors of the county of Berrien the question of removing the county seat to the village of Niles; and

A bill to regulate the carrying of baggage by railroad companies.

The bill to incorporate the St. Clair plank road company was ordered to be read the third time.

The bill authorizing township clerks to subscribe for certain newspapers, and for other purposes, being under consideration,

Mr. Hawley moved that all after the enacting clause be stricken out, which motion prevailed, and

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The bill to authorize the mayor, recorder and aldermen of the city of Detroit, to raise an amount of money by tax, was ordered to be engrossed, and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

The bill supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto, being under consideration, and the question being on concurring in the amendment striking out section two of the bill,

Mr. Coe moved to amend the section by inserting the following proviso after the word "years," in the sixth line:

"*Provided*, That the common council of said city shall, at any regular meeting, by a vote of two-thirds, determine that the best interests of said city would be promoted by said investment, and."

Mr. J. W. Turner moved the previous question, which was demanded, and the main question was ordered to be now put.

The amendment moved by Mr. Coe was then adopted, by the following vote:

#### YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Burk,  
Cady,  
Chamberlain,  
Chittenden,  
Coe,

Mr. Earl,  
Fox,  
Flower,  
Giddings,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,

Mr. McNeil,  
Moffat,  
Moran,  
Mulhollen,  
O'Malley,  
Pennoyer,  
Smith,  
Stevens,  
G. B. Turner,



Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Dayton,  
Deming,

Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,

J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Speaker, 45

NAYS.

Mr. Parkhurst,

1

The question then being on concurring in the amendment reported by the committee of the whole, striking out the second section, it was concurred in.

Mr. Hawley moved that the further consideration of the bill be indefinitely postponed, which motion prevailed, by the following vote:

YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Burk,  
Chittenden,  
Coe,  
O. C. Comstock,  
David,

Mr. Deming,  
Fox,  
Haight,  
Harger,  
Hawley,  
Holmes,  
Lockwood,  
Moran,

Mr. Mulhollen,  
O'Malley,  
Parkhurst,  
Stevens,  
J. W. Turner,  
Tuttle,  
Waite,  
Speaker,

25

NAYS.

Mr. Buck,  
Cady,  
Chamberlain,  
Coman,  
H. H. Comstock,  
Dayton,  
Earl,  
Flower,

Mr. Hammond,  
Hartsuff,  
Hobart,  
Ingersoll,  
Kilborn,  
Lovell,  
Moffatt,

Mr. Pennoyer,  
Salzer,  
Smith,  
Stoddard,  
G. B. Turner,  
Turrill,  
Wilkinson,

22

The amendment to, being a substitute for the bill to regulate the carrying of baggage by railroad companies, was concurred in, and

The bill was ordered to be read the third time.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, in Oakland county;

A bill relative to the support of the poor in the county of Berrien;

A bill to incorporate the North American health insurance company;

A bill to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego; and

A bill to vacate the village plat of the village of Bloomingrove, in the county of Berrien.

On motion of Mr. G. B. Turner,

The House adjourned.

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*Friday, March 30, 1849:*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Bowne, Curtis, M. S. Gillett, Mosher, St. Clair and Tilden were absent on leave, and Messrs. Ferguson, A. Gillet and Hatch were absent without leave.

Mr. Giddings asked and obtained leave of absence for Mr. A. Gillet, for an indefinite period.

Mr. Chittenden presented the petition of Nicholas Uhl and others, for an act incorporating the St. Joseph beneficial society of the state of Michigan; referred to the committee on banks and incorporations.

Mr. J. W. Turner, from the committee on banks and incorporations, to whom was referred the bill to incorporate the village of Port Huron, reported the same back without amendment and recommended its passage, which report was accepted, and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. J. W. Turner, from the same committee, reported a bill to incorporate the village of Leslie, which was read twice, and referred to the committee of the whole and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to provide for the location of the seat of justice in the county of Kent;

A bill authorizing the librarian to cause to be bound the illustrated dramatic works of Shakspeare, and for other purposes;

A bill to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto;

A bill to incorporate the Oakland female seminary; and

A bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent.

Mr. Pennoyer, from the committee on ways and means, reported a bill to amend an act to organize certain townships, approved March 15, 1849, and for other purposes, which was read twice, and

On motion of Mr. Pennoyer,

The rule was suspended, and the bill was ordered to be engrossed and read the third time; the engrossment was dispensed with, and the bill was read the third time and passed.

Mr. Morton, from the committee on state affairs, to whom was referred the Senate joint resolution relative to the construction of a ship canal around the Falls of Niagara and Sault Ste Marie, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The amendment reported was concurred in and the joint resolution was ordered to be read the third time, was so read and passed.

Mr. Davis, from the committee on roads and bridges, to whom was referred the Senate bill to lay out, alter and establish a public highway on section one, town two north of range eleven east, in Troy, Oakland county, reported the same back without action, which report was accepted and the committee discharged from the further consideration of the subject, and the bill was referred to the committee of the whole and placed on the general order.

Mr. Pennoyer, from the committee on ways and means, reported a bill in relation to the unpaid instalments of purchase money due from the Michigan Southern railroad company, which was read twice, when

Mr. Pennoyer moved a suspension of the rules, which motion was lost.

Mr. H. H. Comstock moved that the further consideration of the bill be indefinitely postponed, which motion prevailed, by the following vote:

YEAS.

Mr. Allen

Mr. Haight,

Mr. Morton,

Buck,  
Campbell,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
Dayton,  
Earl,  
Fox,  
Flower,  
Giddings,

Hammond,  
Harger,  
Hartsuff,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
Lovell,  
McNeil,  
Moffatt,

Mulhollen,  
Salzer,  
Smith,  
Stevens,  
Stoddard,  
Turrill,  
Tuttle,  
Waite,  
Speaker,

32

## NAYS.

Mr. Andrews,  
Bacon,  
Belding,  
Cady,  
Chamberlain,  
Chittenden,  
Coe,

Mr. David,  
Davis,  
Deming,  
Hobart,  
Matthews,  
McNair,  
O'Malley,

Mr. Parkhurst,  
Pennoyer,  
G. B. Turner,  
J. W. Turner,  
Wilkinson,  
Wright,

20

Mr. Hawley, from the committee on elections, reported a joint resolution to rescind joint resolution number thirty-two of session laws of 1848, which was read twice, when

Mr. Hawley moved a suspension of the rules, which motion prevailed, and

The joint resolution was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was read the third time and passed.

Mr. Chittenden, from the committee on banks and incorporations, reported a bill amendatory to the charter of the Detroit, Romeo and Port Huron railroad company, which was read twice, and

On motion of Mr. Chittenden,

The rules were suspended, and the bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was read the third time and passed, by a two-thirds vote, as follows:

## YEAS.

Mr. Andrews,  
Belding,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Chittenden,

Mr. Earl,  
Flower,  
Giddings,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Hawley,

Mr. Moffatt,  
Morton,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Pennoyer,  
Salzer,  
Smith,

X

Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Dayton,  
Deming,

Hobart,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNair,  
McNeil,

Stevens,  
Stoddard,  
Tuttle,  
Wilkinson,  
Wright,  
Speaker,

44

NAYS.

Mr. Holmes,

1

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 29, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to vacate the village plat of the village of Bloomingrove, in the county of Berrien;

An act to provide for draining certain low lands in the vicinity of Detroit;

An act to amend an act, approved March 19, 1838, vacating a portion of the village plat of Otsego;

An act for the dissolution of a certain school district in the county of Oakland; and

An act appropriating certain highway taxes for the improvement of a road leading from Paw Paw to Breedsville, by the way of Lawrence, in the county of Van Buren.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE, }  
Lansing, March 30, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act appropriating certain non-resident highway taxes for the improvement of the north road between the villages of Milford and Pontiac, in Oakland county;

An act relative to the support of the poor in the county of Berrien;

An act to incorporate the Oakland female seminary;

An act to provide for laying out and establishing a certain state road in the counties of Allegan and Kent;

An act authorizing the librarian to cause to be bound the illustrated dramatic works of Shakspeare, and for other purposes; also,

An act to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 29, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a concurrent resolution relative to joint rule number ten of the Senate and House of Representatives, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate concurrent resolution relative to joint rule number ten of the Senate and House of Representatives, was read twice, when

Mr. Parkhurst moved a suspension of the rules, which motion prevailed; and

The concurrent resolution was ordered to be read the third time, was so read and was passed.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 29, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a joint resolution relative to the surrender of certain internal improvement warrants, which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate joint resolution relative to the surrender of certain internal improvement warrants, was read twice, when

Mr. Lockwood moved a suspension of the rules, which motion prevailed, and the joint resolution was ordered to be read the third time, was so read and was passed.

The following message was received from the Senate:

SENATE CHAMBER,  
Lansing, March 30, 1849. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein:

A bill to authorize Losina Wilson, widow of Daniel Wilson, to convey certain real estate;

A bill to authorize Charlotte Pratt, widow of John W. Pratt, deceased, to convey certain real estate;

A bill for the relief of Nanty D. Carter; and

A bill to authorize Eunice James, widow of Solomon James, to convey certain real estate.

I am further instructed to transmit herewith the following entitled bills and joint resolution, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to create a road fund for the benefit of the main road between Jackson and Lansing, and to authorize the appointment of commissioners to expend the same;

A bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company;

A bill to incorporate the Michigan state agricultural society;

A bill in aid of the Michigan state agricultural society;

A bill to incorporate the St. Joseph's beneficial society of the state of Michigan;

A bill to amend an act entitled an act to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 17, 1834, and the several acts amendatory thereto, approved March 28, 1849; and

Joint resolutions in regard to the sum of two hundred dollars received from the state by Charles G. Hammond, late Auditor General, on a warrant numbered three thousand eight hundred and ninety-four.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

The following entitled bills were ordered to be enrolled, viz:

A bill to authorize Losina Wilson, widow of Daniel Wilson, to convey certain real estate;

A bill to authorize Charlotte Pratt, widow of John W. Pratt, deceased, to convey certain real estate;

A bill for the relief of Nancy D. Carter; and

A bill to authorize Eunice James, widow of Solomon James, to convey certain real estate.

The Senate bill to create a road fund for the benefit of the main road between Jackson and Lansing, and to authorize the appointment of commissioners to expend the same, was read twice and referred to the committee on roads and bridges.

The Senate bill to improve the navigation of the St. Joseph river and to incorporate the Niles hydraulic and manufacturing company, was read twice, when

Mr. Chamberlain moved a suspension of the rules, which motion did not prevail, and

On motion of Mr. Chamberlain,

The bill was laid on the table.

The Senate bill to incorporate the Michigan state agricultural society was read twice, when

Mr. Pennoyer moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be read the third time, was so read, and was passed, by a two-thirds vote.

The Senate bill in aid of the Michigan state agricultural society was read twice, when

Mr. Cady moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be read the third time, was so read, and was passed.

The Senate bill to incorporate the St. Josephs' beneficial society of the state of Michigan, was read twice, when

On motion of Mr. H. H. Comstock,

The further consideration of the bill was indefinitely postponed.

The Senate bill to amend an act entitled an act to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, approved March 28, 1849, was read twice, when



Mr. J. W. Turner moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be read the third time, was so read, and the question being on its passage, it was decided in the negative, by the following vote, two-thirds not voting in the affirmative :

## YEAS.

Mr. Buck,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Dayton,  
Earl,  
Fox,

Mr. Giddings,  
Haight,  
Hammond,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Lovell,  
Matthews,  
McNeil,

Mr. Moffatt,  
Morton,  
Mulhollen,  
Salyer,  
Stevens,  
Stoddard,  
Turrill,  
Tuttle,  
Waite,  
Speaker,

34

## NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Burk,  
Cady,  
Chamberlain,

Mr. Deming,  
Flower,  
Harger,  
Kilborn,  
Lockwood,  
McNair,

Mr. Parkhurst,  
Pennoyer,  
Smith,  
G. B. Turner,  
J. W. Turner,  
Wilkinson,

18

The Senate joint resolution in regard to the sum of two hundred dollars received from the state by Charles G. Hammond, late Auditor General, on warrant numbered three thousand eight hundred and ninety-four, was read twice, when.

Mr. Coe moved that its further consideration be indefinitely postponed, which motion was decided in the negative, by the following vote :

## YEAS.

Mr. Buck,  
Burk,  
Chamberlain,  
Coe,  
Dayton,  
Earl,

Mr. Giddings,  
Haight,  
Hammond,  
Hobart,  
Holmes,  
Ingersoll,

Mr. Matthews,  
McNeil,  
Mulhollen,  
Salyer,  
J. W. Turner,  
Turrill,

18

## NAYS.

Mr. Allen,  
Andrews,  
Bacon,  
Belding,  
Cady,  
Campbell,

Mr. Fox,  
Flower,  
Harger,  
Hartsuff,  
Hawley,  
Kilborn,

Mr. O'Malley,  
Parkhurst,  
Pennoyer,  
Smith,  
Stevens,  
Stoddard,

Chittenden,	Lockwood,	G. B. Turner,
Coman,	Lovell,	Tuttle,
H. H. Comstock,	McNair,	Waite,
O. C. Comstock,	Moffatt,	Wilkinson,
David,	Morton,	Speaker,
Deming,		34

The joint resolution was then referred to the committee on claims.

Mr. G. B. Turner moved that the committee of the whole be discharged from the further consideration of the bill to amend chapter twenty of the revised statutes.

Mr. Chamberlain moved the previous question, which was demanded, and the main question was ordered to be now put.

The question then being on the motion to discharge the committee of the whole, it prevailed, and

The question then recurring on ordering the bill to be read the third time, it was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Matthews,
Andrews,	Earl,	Moffatt,
Bacon,	Giddings,	Mulhollen,
Buck,	Hammond,	Salver,
Burk,	Hobart,	Smith,
Chamberlain,	Holmes,	G. B. Turner,
Coe,	Lovell,	Turrill,
O. C. Comstock,		22

## NAYS.

Mr. Belding,	Mr. Flower,	Mr. O'Malley,
Cady,	Haight,	Parkhurst,
Campbell,	Harger,	Pennoyer,
Chittenden,	Hartsuff,	Stevens,
Coman,	Hawley,	Stoddard,
H. H. Comstock,	Kilborn,	J. W. Turner,
David,	Lockwood,	Tuttle,
Davis,	McNair,	Waite,
Deming,	McNeil,	Wilkinson,
Fox,	Morton,	Speaker,
		30

On motion of Mr. J. W. Turner,

*Resolved*, That this House will hold an evening session this evening, and to-morrow evening commencing at seven o'clock.

Mr. Hawley offered the following resolution:

*Resolved*, That the committee on claims, to whom was referred the Senate joint resolution relative to Charles G. Hammond, be discharged from the further consideration of the same.

On motion of Mr. Ingersoll,

The resolution was laid upon the table.

On motion of Mr. J. W. Turner,

*Resolved*, That during the remainder of the session, no member shall be allowed to speak more than twice upon the same question, and not to exceed two minutes at a time, unless by the unanimous consent of the members present.

Mr. Fox offered the following resolution, which was not adopted:

*Resolved*, That rule twenty-two of the House be and the same is hereby suspended during the remainder of the session.

On motion of Mr. Parkhurst,

The committee of the whole were discharged from the further consideration of the bill for the relief of David A. Wright,

And the amendments reported to the bill by the committee on the judiciary, were severally concurred in,

And the bill was ordered to be read the time, was so read and was passed; and,

On motion of Mr. Coe,

The title was amended by adding thereto the words "and James M. Tefft."

Mr. Giddings moved that the preamble and joint resolution relative to slavery and the slave trade in the District of Columbia, be taken from the table, which motion was lost.

Mr. Kilborn gave notice that on some future day he would ask leave to introduce a bill.

Mr. Kilborn moved to take from the table the bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham, which motion prevailed.

The amendments reported to the bill by the committee of the whole, were severally concurred.

Mr. Coe moved to amend the bill by striking out all after the enacting clause, and inserting the following, which motion was lost, viz:

That the commissioners of highways of the several townships through which the county line road from Gidley's station, in the county of Jackson, to Lansing, as lies between the north line of the township of Delhi and Columbia village, in the township of Aurelius, in the county of Ingham, may expend upon the said road in their

respective townships, so much of the non-resident highway taxes of the said township, as they may deem proper, in the manner now provided by law.

Mr. McNeil moved that the further consideration of the bill be indefinitely postponed, which motion was lost.

On motion of Mr. Allen,

The vote by which the House concurred in the second amendment to the bill was reconsidered, and

The amendment was then non-concurred in.

The bill was then ordered to be engrossed and read the third time and the engrossment being dispensed with, it was placed on the order of bills for a third reading.

On motion of Mr. Chamberlain,

The House resolved itself into a committee of the whole on the general order, Mr. Coe in the chair, and after spending some time thereon, the committee rose and by their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. McNair,

The House adjourned.

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AFTERNOON SESSION:

*Two o'clock P. M.*

The House met pursuant to adjournment, was called to order by the Speaker,

And resolved itself into a committee of the whole on the general order, Mr. Coe in the chair, and

After spending some time thereon the committee rose and by their chairman reported back to the House without amendment,

A bill for the vacation of certain streets and an alley in the village of Byron, in the county of Shiawassce;

A bill to incorporate the village of St. Mary;

A bill to lay out a certain state road;

A bill to authorize Mary Ann Miller to convey certain real estate;

A bill appropriating certain non-resident highway taxes for the improvement of the road running from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White Lake, to the village of Pontiac, in the county of Oakland;

A bill to amend act number sixty-eight of the session laws of 1837; and act number eighty-nine of the session laws of 1842;

A bill to amend section thirty-six of chapter fourteen of the revised statutes of 1846;

A bill to amend chapter seven, title two of the revised statutes;

A bill to incorporate the Monroe and Flat Rock plank road company;

A bill to amend sections eighteen, twenty, twenty-four and twenty-eight of title nine, chapter forty-one of the revised statutes;

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes;

A bill to amend an act entitled an act to incorporate the village of Tecumseh;

A bill to amend an act entitled an act to incorporate the Detroit and Utica plank road company;

A bill to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize the appointment of commissioners to expend the same;

A bill giving circuit courts jurisdiction in actions of ejectment; and

A joint resolution relative to the discharge of a certain mortgage; and also,

Reported back with sundry amendments, in which the concurrence of the House was asked;

A bill to incorporate the Peninsular eclectic medical college of Detroit;

A bill to authorize an appropriation to aid in the construction of a bridge across Grand river, at Portland, in the county of Ionia;

A bill to create a state board of equalization, and to apportion the state tax among the several counties of the state;

A bill making appropriation for a certain bridge in the town of Lansing; and

A bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company.

The following entitled bills and joint resolution were severally ordered to be read the third time, viz:

A bill for the vacation of certain streets and an alley in the village of Byron, in the county of Shiawassee;

A bill giving the circuit courts jurisdiction in actions of ejectment;

A bill to create a road fund for the benefit of the German colonists.

in Saginaw county; and to authorize the appointment of commissioners to expend the same;

A bill to amend an act entitled an act to incorporate the Detroit and Utica plank road company;

A bill to amend an act entitled an act to incorporate the village of Tecumseh;

A bill to amend sections eighteen, twenty, twenty-four and twenty-eight of title nine, chapter forty-one of the revised statutes;

A bill to incorporate the Monroe and Flat Rock plank road company;

A bill to amend chapter seven, title two, of the revised statutes;

A bill to authorize Mary Ann Miller to convey certain real estate; and

A joint resolution relative to the discharge of a certain mortgage.

The following entitled bills were severally ordered to be engrossed and read the third time, and the engrossment being dispensed with, they were placed on the order of bills for a third reading, viz:

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes;

A bill to amend section thirty-six of chapter fourteen of the revised statutes of 1846;

A bill to amend act number sixty-eight of the session laws of 1837, and act number eighty-nine of the session laws of 1842;

A bill appropriating certain non-resident highway taxes for the improvement of the road running from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White Lake, to the village of Pontiac, in the county of Oakland;

A bill to lay out a certain state road; and

A bill to incorporate the village of St. Mary.

The amendment reported by the committee of the whole to the bill to incorporate the Peninsular eclectic medical college of Detroit, striking out all after the enacting clause, was concurred in, and

On motion of Mr. Holmes,

The further consideration of the bill was indefinitely postponed.

The amendment reported by the committee of the whole to the bill authorizing an appropriation to aid in the construction of a bridge

across Grand river, at Portland, in the county of Ionia, was concurred in.

Mr. Turrill moved that the further consideration of the bill be indefinitely postponed, which motion was lost, and

The question recurring on ordering the bill to be read the third time, it was decided in the affirmative, by the following vote :

YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Moffatt,
Andrews,	Haight,	Moran,
Burk,	Hammond,	Morton,
Coe,	Hobart,	Mulhollen,
H. H. Comstock,	Kilborn,	O'Malley,
O. C. Comstock,	Lockwood,	Pennoyer,
David,	Lovell,	Salyer,
Dayton,	Matthews,	Waite,
Fox,		

25.

NAYS.

Mr. Bacon,	Mr. Harger,	Mr. Stoddard,
Belding,	Hawley,	J. W. Turner,
Campbell,	Holmes,	Turrill,
Chamberlain,	McNair,	Tuttle,
Coman,	McNeil,	Wilkinson,
Davis,	Parkhurst,	Speaker,
Deming,	Stevens,	

20

Mr. Parkhurst moved that the bill be recommitted to the committee on roads and bridges, with instructions to strike out the appropriation of one thousand dollars, which motion was lost.

The amendments reported by the committee of the whole to the bill for the improvement of Flat river, were severally concurred in, and

The bill was ordered to be read the third time.

The amendment reported by the committee of the whole, striking out section one of the bill making appropriations for a certain bridge in the town of Lansing, was non-concurred in, and

The bill was ordered to be engrossed and read the third time, by the following vote :

YEAS.

Mr. Allen,	Mr. Fox,	Mr. Lovell,
Andrews,	Flower,	Moran,
Burk,	Haight,	Morton,
Campbell,	Hammond,	O'Malley,
Chittenden,	Harger,	Parkhurst,
Coe,	Holmes,	Pennoyer,

Coman,  
H. H. Comstock,  
O. C. Comstock,

Ingersoll,  
Kilborn,  
Lockwood,

Salyer,  
Stevens,  
Stoddard, 27

## NAYS.

Mr. Bacon,  
Belding,  
Chamberlain,  
David,  
Davis,  
Deming,  
Earl,

Mr. Giddings,  
Hawley,  
Hobart,  
McNair,  
McNeil,  
Moffatt,  
Mulhollen,

Mr. Smith,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Speaker, 21

The engrossment being dispensed with, the bill was placed on the order of bills for a third reading.

The first amendment reported by the committee of the whole, striking out section one of the bill to create a state board of equalization, and to apportion the state tax among the several counties of this state, was concurred in, and

On motion of Mr. Hawley,  
The bill was laid on the table.

The amendments reported by the committee of the whole to the bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company, were concurred in, in gross, and

On motion of Mr. Chamberlain,  
The bill was laid on the table.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz :

A bill to authorize Losina Wilson, widow of Daniel Wilson, to convey certain real estate;

A bill for the relief of Nancy D. Carter;

A bill to authorize Charlotte Pratt, widow of John W. Pratt, to convey certain real estate; and

A bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Marshall, and for other purposes.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 30, 1849. }

To the Speaker of the House of Representatives:

SIR:—I am instructed to transmit herewith the following entitled



bills and joint resolutions, which the Senate have passed and in which the concurrence of the House is respectfully asked, viz:

A bill to authorize Richard H. Conner to convey certain real estate;

A bill in relation to the recorder of Detroit;

A bill to legalize notices given in pursuance of stipulations on the sale of real estate, and other property;

A bill in relation to the terms of the supreme court; and

Joint resolution relative to the claim of David M. Page.

I am further instructed to return herewith the following entitled bills, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill to repeal an act entitled an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes;

A bill to amend an act entitled an act to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved 29, 1848, and March 28, 1848, approved January 25, 1849;

A bill to provide for the removal of the state land office to the seat of government;

A bill relative to the admission of attorneys, solicitors and counsellors;

A bill to provide for laying out and establishing a certain state road in the counties of Oakland and Genesee; and

A bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road, and for other purposes; also,

A bill to consolidate the laws in relation to county courts, and for other purposes, and to respectfully inform you that the Senate have concurred in the amendments of the House thereto, with an amendment, in which the concurrence of the House is respectfully asked.

Also, the following entitled bills, and to respectfully inform you the Senate have concurred therein, viz:

A bill to enlarge the powers and increase the number of officers in school districts in certain cases;

A bill to provide for laying out a state road from the township of

Ingham, in the county of Ingham, to the village of Dexter, in Washtenaw county;

A bill to amend and define the eighth subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of eighteen hundred and forty-six;

A bill to vacate the plat of the Village of the Lake, in the county of Washtenaw;

A bill to repeal section two of an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847;

A bill to incorporate the Lake Michigan and Terre Coupee plank road company;

A bill to incorporate the Galesburg and Grand Rapids plank road company;

A bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company; and

A bill to repeal the sixteenth section of an act to amend the revised statutes of 1846; approved April 3, 1848:

Respectfully, &c.,

W. L. BANGROFT,

*Secretary of the Senate.*

The following entitled bills were ordered to be enrolled, viz:

A bill to enlarge the powers and increase the number of officers in school districts in certain cases;

A bill to provide for laying out a state road from the township of Ingham, in the county of Ingham, to the village of Dexter, in Washtenaw county;

A bill to amend and define the eighth subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846;

A bill to vacate the plat of the Village of the Lake, in the county of Washtenaw;

A bill to repeal section two of an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847;

A bill to incorporate the Lake Michigan and Terre Coupee plank road company;

A bill to incorporate the Galesburg and Grand Rapids plank road company;

A bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company; and

A bill to repeal the sixteenth section of an act to amend the revised statutes of 1846; approved April 3, 1848..

On motion of Mr. J. W. Turner,

The action of the rule requiring the reference of Senate bills to a standing committee, was suspended, and the following entitled bills and joint resolutions were read twice, referred to the committee of the whole and placed on the general order, viz:

A bill in relation to the recorder of Detroit;

A bill to authorize Richard H. Connor to convey certain real estate;

A bill to legalize notices given in pursuance of stipulations on the sale of real estate, and for other purposes;

A bill in relation to the terms of the supreme court; and

A joint resolution relative to the claim of David Page.

The Senate amendment to the House amendments to the bill to consolidate the laws in relation to county courts, and for other purposes, was concurred in.

The Senate amendments to the following entitled bills were severally concurred in, and the bills as amended were ordered to be enrolled, viz:

A bill to amend an act entitled an act to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849;

A bill to provide for lying out and establishing a certain state road in the counties of Oakland and Genesee;

A bill to repeal an act entitled an act to authorize the erection of a toll-gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes;

A bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road;

A bill relative to the admission of attorneys, solicitors and counselors; and

A bill to provide for the removal of the state land office to the seat of government.

On motion of Mr. Morton,

The House adjourned.

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EVENING SESSION.

*Seven o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Coe,

The bill to amend chapter ninety-four of the revised statutes in relation to criminal proceedings before justices of the peace, and the substitute therefor, were taken from the table, referred to the committee of the whole and placed on the general order.

Mr. Hawley moved a reconsideration of the vote by which was passed the bill to amend an act to organize certain townships, approved March 15, 1849, and for other purposes, which motion prevailed, and

On motion of Mr. Hawley,

The bill was recommitted to the committee on the organization of townships and counties, with instructions to strike out the second section.

On motion of Mr. O'Malley,

The bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company, was taken from the table, and it was ordered to be read the third time.

On motion of Mr. G. B. Turner,

The action of the twenty-first rule was suspended, when

The following entitled bills were read the third time and passed, viz:

A bill appropriating certain non-resident highway taxes for the improvement of the road leading from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White lake, to the village of Pontiac, in the county of Oakland;

A bill to amend section thirty-six of chapter fourteen of the revised statutes of 1846;

A bill to authorize Mary Ann Miller to convey certain real estate;

A bill to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize the appointment of commissioners to expend the same;

A bill giving the circuit courts jurisdiction in actions of ejectment;

A bill to lay out a certain state road;

A bill to amend chapter seven, title two of the revised statutes;

A bill for the vacation of certain streets and an alley in the village of Byron, in the county of Shiawassee;

A bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

A bill to regulate the carrying of baggage by railroad companies;

A bill to authorize the mayor, recorder and aldermen of the city of Detroit, to raise an amount of money by tax; and

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes.

The following entitled bills were severally read the third time and each passed by a two-thirds vote, viz:

A bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company;

A bill to incorporate the village of St. Mary;

A bill to incorporate the Monroe and Flat rock plank road company;

A bill to amend an act entitled an act to incorporate the village of Tecumseh;

A bill to amend an act entitled an act to incorporate the Detroit and Utica plank road company; and

A bill to incorporate the St. Clair plank road company;

The bill to amend act number sixty-eight of the session laws of 1847, and act number eighty-nine of the session laws of 1842, was read the third time, and

On motion of Mr. Parkhurst,

Was laid on the table.

The bill to amend sections eighteen, twenty, twenty-four and twenty-eight of title nine, chapter forty-one of the revised statutes, was read the third time, when

Mr. Holmes moved that the bill be laid on the table, which motion was lost.

Mr. J. W. Turner moved that it be recommitted to the committee on the judiciary, with instructions to amend the same, so as to make it take effect in one year, which motion was lost.

And the bill was then passed.

The joint resolution relative to the discharge of a certain mortgage, was read the third time, and

On motion of H. H. Comstock,

Laid on the table.

The bill making appropriation for a certain bridge in the town of Lansing, was read the third time, when

Mr. David moved that it be committed to the committee on roads and bridges, with instructions to strike out the appropriation, which motion was decided in the negative, by the following vote:

#### YEAS.

Mr. Bacon,  
Burk,  
Chamberlain,  
David,  
Davis,  
Deming,

Mr. Earl,  
Giddings,  
Hawley,  
Hobart,  
McNair,  
McNeil,

Mr. Moffatt,  
Mulhollen,  
G. B. Turner,  
J. W. Turner,  
Turrill,  
Wilkinson, 18

#### NAYS.

Mr. Allen,  
Andrews,  
Belding,  
Buck,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,

Mr. Dayton,  
Fox,  
Haight,  
Hammond,  
Harger,  
Hartsuff,  
Holmes,  
Ingersoll,

Mr. Lovell,  
Morton,  
Parkhurst,  
Pennoyer,  
Salyer,  
Smith,  
Waite,  
Speaker,

25

Mr. J. W. Turner moved that the bill be committed to the committee on roads and bridges, with instructions to report a substitute therefor, providing for the assessment and collection of taxes on property belonging to the state in the county of Ingham, which motion was lost.

The question then recurring on the passage of the bill, it was passed, by the following vote:

#### YEAS.

Mr. Allen,  
Andrews,

Mr. Haight,  
Hammond,

Mr. O'Malley,  
Parkhurst,

Buck,	Harger,	Pennoyer,
Campbell,	Hartsuff,	Salzer,
Coman,	Holmes,	Smith,
H. H. Comstock,	Ingersoll,	Stevens,
O. C. Comstock,	Lockwood,	Stoddard,
Dayton,	Lovell,	Speaker,
Fox,		

25

NAYS.

Mr. Bacon,	Mr. Earl,	Mr. Mulhollen,
Belding,	Giddings,	G. B. Turner,
Burk,	Hawley,	J. W. Turner,
Chamberlain,	Hobart,	Turrill,
David,	McNair,	Waite,
Davis,	McNeil,	Wilkinson,
Deming,	Moffatt,	

20

The bill authorizing an appropriation to aid in the construction of a bridge across Grand river, at Portland, in the county of Ionia, was read the third time and passed, by the following vote:

YEAS.

Mr. Allen,	Mr. Giddings,	Mr. Moffatt,
Andrews,	Haight,	Mulhollen,
Buck,	Hammond,	O'Malley,
Burk,	Harger,	Pennoyer,
H. H. Comstock,	Hobart,	Salzer,
O. C. Comstock,	Holmes,	Smith,
Dayton,	Ingersoll,	Stevens,
Earl,	Lockwood,	Waite,
Fox,	Lovell,	

26

NAYS.

Mr. Bacon,	Mr. Davis,	Parkhurst,
Belding,	Deming,	G. B. Turner,
Campbell,	Hartsuff,	J. W. Turner,
Chamberlain,	Hawley,	Turrill,
Chittenden,	McNair,	Wilkinson,
David,	McNeil,	Speaker,

18

The bill for the improvement of Flat river, was read the third, and the question being on its passage, it was decided in the negative, by the following vote:

YEAS.

Mr. Belding,	Mr. O. C. Comstock,	Mr. Lockwood,
Buck,	Dayton,	Lovell,
Campbell,	Fox,	Mulhollen,
Coman,	Hammond,	Salzer,
H. H. Comstock,	Ingersoll,	Smith,

15

## NAYS.

Mr. Allen,	Deming,	Pennoyer,
Andrews,	Harger,	Stevens,
Bacon,	Hartsuff,	G. B. Turner.
Burk,	Hawley,	J. W. Turner,
Chamberlain,	McNair,	Turrill,
Chittenden,	McNeil,	Waite,
David,	Moffatt,	Wilkinson,
Davis,	Parkhurst,	Speaker, 24

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval; viz:

A bill to incorporate the Phoenix copper company;

A bill to authorize Eunice James, widow of Solomon James, to sell certain real estate; and

A bill supplementary to an act entitled an act to establish a state Normal school.

The House then resolved itself into a committee of the whole on the general order, Mr. Morton in the chair, and

After spending some time thereon, the committee rose, and, by their chairman, reported back to the House without amendment,

A bill providing for the payment of fees of certain officers for services rendered in criminal cases;

A bill to authorize the supreme court to make rules regulating the practice in the circuit and county courts, in cases where a non-joinder or mis-joinder of parties occur;

A bill to alter and lay out a certain state road; and

A bill to incorporate the Union mining company; and also,

Reported back, with amendments, in which the concurrence of the House was asked,

A bill to encourage the publication of the reports of the geological and lineal surveys, and accompanying maps of the upper peninsula of Michigan; and

A bill to amend section four of chapter one hundred and sixteen of the revised statutes of 1846.

On motion of Mr. Hawley,

The House adjourned.



*Saturday, March 31, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Bowne, Curtis, A. Gillet, M. S. Gillett, Mosher, St. Clair and Tilden were absent on leave, and Messrs. Ferguson and Hatch were absent without leave.

Mr. Davis, from the committee on roads and bridges, to whom was referred the Senate bill to create a road fund for the benefit of the main road between Jackson and Lansing, and to authorize the appointment of commissioners, to expend the same, reported the same back without amendment and recommended its passage, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was ordered to be read the third time, was so read, and was passed.

Mr. Matthews, from the committee on the organization of townships and counties, to whom was referred the bill to amend an act to organize certain townships, approved March 15, 1849, and for other purposes, reported the same back amended, in accordance with the instructions of the House, which report was accepted and the committee discharged from the further consideration of the subject, and

The bill was then passed,

Mr. Lockwood, from the majority of the committee on claims, to whom was referred the Senate joint resolutions in regard to the sum of two hundred dollars received from the state by Charles G. Hammond, late Auditor General, on a warrant numbered three thousand eight hundred and ninety-four, reported the same back with an amendment, and recommended its passage, which report was accepted.

Mr. G. B. Turner, from the minority of the committee on claims, made the following report, which was accepted; viz:

The undersigned would respectfully report that they have had the subject matter of said joint resolution under consideration, and submit the following statements in relation thereto for the consideration of the House:

*First.* It appears from the report of a select committee of this House, made in February last, that Charles G. Hammond did on

the fourteenth day of February, 1844, (being then the Auditor General of this state,) draw his warrant upon and take from the treasury of the state the sum of two hundred dollars without any authority of law. In this report the said committee were unanimous.

*Second.* The select committee submitted with said report a joint resolution in the words following, to wit:

**JOINT RESOLUTION** instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury.

*Resolved, by the Senate and House of Representatives of the State of Michigan,* That the Attorney General be, and he is hereby directed to take legal measures to recover of Charles G. Hammond, late Auditor General of this state, the money, with the interest thereon, drawn by said Hammond from the treasury of the state, upon a warrant number three thousand eight hundred and ninety-four, for two hundred dollars, purporting to have been for extra services and time as Auditor General of the state of Michigan.

*Third.* This joint resolution was duly considered by the House and passed. It was then sent up to the Senate for the action of that body.

*Fourth.* On the 9th of March instant, a memorial, in relation to the action of said special committee, signed by Charles G. Hammond, was presented to this body. The memorialist does not deny having taken from the treasury the sum of two hundred dollars, over and above the amount of his salary as fixed by law; nor does he pretend that the amount was taken by authority of law, but on the contrary, virtually admits that he had no legal right to take the money whatever, and excuses the act by saying that he had performed extra services, and was consequently entitled to extra pay.

His salary was fixed by law. That salary the law declares should be in full for his services. That law made no provisions for extra services or extra pay. The undersigned, therefore, can come to no other conclusion than this: that Charles G. Hammond, late Auditor General, did take from the treasury the sum of two hundred dollars, without the sanction or authority of law, and that immediate steps should be taken to collect the same, with interest. We, therefore, recommend the passage of the substitute for the Senate resolutions herewith reported. We are of opinion that every individual constituent

ed with the public funds should be held to the strictest accountability. That no person should be exempt from this rule, however humble or elevated his position in life. Individuals performing extra services should look to the power creating the offices, and the pay for a remuneration for such extra services, but they should not be permitted themselves to judge of the services or the pay. For if they are once permitted to judge in their own cases, the funds of our state would sometimes, at least, be jeopardized by the avarice and cupidity of reckless public functionaries.

G. B. TURNER,  
WM. HAMMOND.

The joint resolutions in regard to the sum of two hundred dollars received from the state by Charles G. Hammond, late Auditor General, on a warrant numbered three thousand eight hundred and ninety-four, together with the amendment thereto, and the substitute therefor, were referred to the committee of the whole and placed on the general order.

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
*Lansing, March 30, 1849.*

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to locate the seat of justice in the county of Kent; and

An act to incorporate the North American health insurance company.

EPAPHRO. RANSOM.  
EXECUTIVE OFFICE, }  
*Lansing, March 30, 1849.*

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act entitled an act to amend an act entitled an act to incorporate the village of Marshall, and for other purposes;

An act for the relief of Nancy D. Carter;

An act to authorize Charlotte Pratt, widow of John W. Pratt, to convey certain real estate; and

An act to authorize Losina Wilson, widow of Daniel Wilson, to sell certain real estate.

EPAPHRO. RANSOM.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 31, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill appropriating certain non-resident highway taxes on the road leading from Hillman's, in the township of Tyrone, in the county of Livingston, to Pontiac, in the county of Oakland;

A bill to incorporate the Frederick and Utica plank railroad company; and

A bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes; also.

The following entitled bill, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent.

I am further instructed to transmit herewith the following entitled bill and joint resolution, which the Senate have passed and in which concurrence of the House is respectfully asked, viz:

A bill to amend an act to establish an asylum for the deaf and dumb and the blind, and also an asylum for the insane of the state of Michigan, approved April 3, 1848, and

Joint resolution relative to slavery and the slave trade in the district of Columbia.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent, was ordered to be enrolled.

The Senate bill to amend an act to establish an asylum for the deaf and dumb, and the blind, and also an asylum for the insane of the state of Michigan, approved April 3, 1848, was read twice, when

Mr. O. C. Comstock moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be read the third time, was so read, and was passed.

The Senate joint resolution relative to slavery and the slave trade in the district of Columbia, was read twice and referred to the committee on federal relations.

The first Senate amendment to the bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, was non-concurred in, and the second amendment was concurred in.

The Senate amendments to the following entitled bills were severally concurred in, and the bills as amended were ordered to be enrolled, viz:

A bill to incorporate the Frederick and Utica plank road company; and

A bill appropriating certain non-resident highway taxes on the road leading from Hillman's, in the township of Tyrone, in the county of Livingston, to Pontiac, in the county of Oakland.

On motion of Mr. J. W. Turner,

The vote was reconsidered, by which the House refused to pass the bill to amend an act entitled an act to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, approved March 28, 1849, and

The question recurring on the passage of the bill, it was passed by a two-thirds vote, as follows:

YEAS.

Mr. Allen,  
Andrews,  
Belding,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Dayton,  
Earl,

Mr. Fox,  
Flower,  
Giddings,  
Haight,  
Harger,  
Hartsuff,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lockwood,  
Lovell,

Mr. Matthews,  
McNeil,  
Moffatt,  
Moran,  
Mulhollen,  
Salyer,  
Stevens,  
Stoddard,  
Turrill,  
Tuttle,  
Waite,  
Speaker,

38.

NAYS.

Mr. Bacon,  
Burk,  
Chamberlain  
Davis,

Mr. Deming,  
McNair,  
Pennoyer,  
Smith,

Mr. G. B. Turner,  
J. W. Turner,  
Wilkinson,  
Wright,

12

Mr. Andrews moved a reconsideration of the vote passing a bill making appropriation for a certain bridge in the town of Lansing, which motion was decided in the affirmative, by the following vote:

## YEAS.

Mr. Andrews,	Mr. Earl,	Mr. Parkhurst,
Bacon,	Flower,	Salver,
Belding,	Giddings,	Smith,
Burk,	Hawley,	G. B. Turner,
Cady,	Hobart,	J. W. Turner,
Chamberlain,	McNair,	Turrill,
David,	McNeil,	Tuttle,
Davis,	Moffatt,	Waite,
Dayton,	Moran,	Wilkinson,
Deming,	Mulhollen,	Wright, 30

## NAYS.

Mr. Allen,	Mr. Haight,	Mr. Lovell,
Campbell,	Harger,	Pennoyer,
Coman,	Hartsuff,	Stevens,
H. H. Comstock,	Holmes,	Stoddard,
O. C. Comstock,	Kilborn,	Speaker, 17
Fox,	Lockwood,	

Mr. Fox moved that the bill be laid on the table, which motion was lost, by yeas and nays, as follows:

## YEAS.

Mr. Allen,	Mr. O. C. Comstock,	Mr. Lockwood,
Belding,	Fox,	Lovell,
Buck,	Haight,	Smith,
Campbell,	Harger,	Stevens,
Coe,	Holmes,	Stoddard,
Coman,	Kilborn,	Speaker, 19
H. H. Comstock,		

## NAYS.

Mr. Andrews,	Mr. Flower,	Mr. Parkhurst,
Bacon,	Giddings,	Pennoyer,
Burk,	Hartsuff,	Salver,
Cady,	Hawley,	G. B. Turner,
Chamberlain,	Hobart,	J. W. Turner,
David,	McNair,	Turrill,
Davis,	McNeil,	Tuttle,
Dayton,	Moffatt,	Waite,
Deming,	Moran,	Wilkinson,
Earl,	Mulhollen,	Wright, 30

The question then recurring on the passage of the bill, it was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Haight,	Mr. Matthews,
------------	-------------	---------------

Buck,	Harger,	Pennoyer,
Campbell,	Hartsuff,	Smith,
Coman,	Holmes,	Stevens,
H. H. Comstock,	Ingersoll,	Stoddard,
O. C. Comstock,	Kilborn,	Wright,
Dayton,	Lockwood,	Speaker,
Fox,	Lovell,	

23.

NAYS.

Mr. Andrews,	Mr. Earl,	Mr. Mulhollen,
Bacon,	Flower,	Parkhurst,
Belding,	Giddings,	Salzer,
Burk,	Hawley,	G. B. Turner,
Cady,	Hobart,	J. W. Turner,
Chamberlain,	McNair,	Turrill,
Coe,	McNeil,	Tuttle,
David,	Moffatt,	Waite,
Davis,	Moran,	Wilkinson,
Deming,		

28

Mr. Chamberlain, from the committee on federal relations, by unanimous consent, reported back without amendment and recommended their passage, the Senate joint resolutions relative to slavery and the slave trade in the district of Columbia, which report was accepted and the committee discharged from the further consideration of the subject, and the joint resolutions were referred to the committee of the whole and placed on the general order.

Mr. Moffatt offered the following resolution, which was adopted; viz:

*Resolved*, That the Clerk of this House be, and he is hereby directed to forward the following communication to the Honorable M. S. Gillett, a member of the House of Representatives from the county of St. Clair:

*Lansing March 29, 1849.*

MY DEAR FRIEND:

I now sit down, with pen in hand, to inform you that the members of this House have enjoyed a good degree of health since you vacated your seat, which was on the twenty-eighth day of February last, "and hope when these few lines reach you they will find you enjoying the same blessing."

We shall, I think, adjourn on the second of April; our session has been longer than was anticipated, owing, in part, to the protracted absence of some of its members.

Your per diem allowance, since you vacated your seat, will, at the

close of the session amount to ninety-nine dollars, seventy-eight of which you will find in the hands of your Honorable colleague, Mr. St. Clair.

Most affectionately yours.

Mr. Lockwood offered the following preamble and resolution:

*Whereas*, The Honorable Martin S. Gillett, a Representative from the county of St. Clair, has been absent from the regular session of this House at least one half of the time since the organization thereof; and

*Whereas*, it is understood and generally believed that the said Gillett, not having the high behests of patriotism, the fear of the sovereign people, nor the contempt of his constituents before his eyes, did, on the twenty-eighth day of February last, precipitately retreat from this stage of his public honor and legislative glory, carrying with him all and singular, the books, documents and stationery furnished at public expense for his use and enlightenment as a member of this House, and not forgetting his per diem allowance of three dollars; and

*Whereas*, it is understood and fully believed that the said Gillett, being panic-stricken, at the time of his departure as aforesaid, did not intend to return during the present session, and has not returned at this date; and

*Whereas*, it has become an established practice with this House, to signify in direct and explicit terms its disapprobation of such unwarrantable desertion of the people's interests by the people's servants: therefore,

*Resolved*, That the Speaker of this House be, and he is hereby instructed not to draw his certificate in favor of said Gillett for any sum claimed by or in behalf of said Gillett, which may have accrued subsequent to the said twenty-eighth day of February, or which may accrue prior to the adjournment of this legislature.

*Resolved*, That the Clerk be and he is hereby instructed to transmit by mail a copy of these resolutions, together with the preamble, to said Gillett.

On motion of Mr. H. H. Comstock,

The preamble and resolutions were laid on the table.

Mr. Chittenden, from the committee on banks and incorporations, by unanimous consent, reported



A bill to amend an act to incorporate the North American health insurance company;

Which was read twice, when

Mr. Stevens moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be engrossed and read the third time, and the engrossment being dispensed with, it was read the third time and passed by a two-thirds vote.

Mr. Belding offered the following resolution:

*Resolved*, That the Speaker be and is hereby authorized and required to order the Sergeant-at-Arms to take the Honorable M. F. Lockwood into custody, and so keep him, until he apologize to this House for his ungentlemanly conduct in throwing paper balls at members, while the House is in session.

On motion of Mr. Chamberlain,

The resolution was laid on the table.

On motion of Mr. Fox,

The joint resolution rescinding the joint resolution to encourage immigration, approved February 1, 1849, was taken from the table, and

The joint resolution was ordered to be engrossed and read the third time, and the engrossment having been dispensed with, it was read the third time, and

Mr. Giddings moved that it be laid on the table, which motion was decided in the negative, by the following vote:

YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Burk,

Mr. Chamberlain,  
O. C. Comstock,  
Davis,  
Earl,

Mr. Giddings,  
Pennoyer,  
G. B. Turner,

11

NAYS.

Mr. Belding,  
Buck,  
Cady,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
David,  
Dayton,  
Deming,

Mr. Hartsuff,  
Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lovell,  
Matthews,  
McNair,  
McNeil,

Mr. Mulhollen,  
Parkhurst,  
Salzer,  
Smith,  
Stevens,  
Stoddard,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,

Fox,  
Haight,  
Harger,

Moffatt,  
Moran,  
Morton,

Wilkinson,  
Wright,  
Speaker, 39

The question recurring on the passage of the joint resolution, it was passed, by yeas and nays, as follows:

## YEAS.

Mr. Bacon,  
Belding,  
Buck,  
Cady,  
Campbell,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
David,  
Davis,  
Dayton,  
Deming,

Mr. Earl,  
Fox,  
Flower,  
Giddings,  
Haight,  
Harger,  
Hawley,  
Hobart,  
Lovell,  
Matthews,  
McNair,  
Moffatt,  
Moran,

Mr. Morton,  
Mulhollen,  
Parkhurst,  
Salyer,  
Stevens,  
Stoddard,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Wright,  
Speaker, 33.

## NAYS.

Mr. Allen,  
Andrews,  
Burk,  
Chamberlain,

Mr. O. C. Comstock, Mr. Pennoyer,  
Hartsuff,  
Kilborn, G. B. Turner,

10

Mr. Hawley moved that the bill to create a state board of equalization, and to apportion the state tax among the several counties of the state, be taken from the table, which motion prevailed, by the following vote:

## YEAS.

Mr. Allen,  
Andrews,  
Bacon,  
Burk,  
Chamberlain,  
Chittenden,  
Coe,  
Coman,  
H. H. Comstock,  
O. C. Comstock,

Mr. David,  
Fox,  
Hawley,  
Hobart,  
Holmes,  
Kilborn,  
Lovell,  
Matthews,  
McNeil,

Mr. Moffatt,  
Morton,  
Mulhollen,  
Pennoyer,  
Smith,  
Stevens,  
Stoddard,  
Tuttle,  
Speaker, 28

## NAYS.

Mr. Belding,  
Buck,  
Campbell,  
Davis,  
Dayton,  
Deming,

Mr. Earl,  
Haight,  
Harger,  
Hartsuff,  
McNair,  
Parkhurst,

Mr. Salyer,  
J. W. Turner,  
Turrill,  
Waite,  
Wilkinson,

17

On motion of Mr. Hawley,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval:

A bill to enlarge the powers and increase the number of officers in school districts in certain cases;

A bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road, and for other purposes;

A bill relative to the admission of attorneys, solicitors and counselors;

A bill to provide for laying out and establishing a certain state road in the counties of Oakland and Genesee;

A bill to incorporate the Galesburg and Grand Rapids plank road company;

A bill to provide for laying out a state road from Ohio, north to the village of Hudson;

A bill to lay out a state road in the county of Ottawa;

A bill to vacate the plat of the Village of the Lake, in the county of Washtenaw;

A bill to define and amend the eighth subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846;

A bill to repeal the sixteenth section of an act to amend the revised statutes of 1846, approved April 3, 1848; and

A bill to repeal section two of an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847.

On motion of Mr. Chamberlain,

The House resolved itself into a committee of the whole on the general order, Mr. Davis in the chair, and after spending some time thereon, the committee rose, and by their chairman reported back to the House without amendment.

A bill to repeal section twenty of chapter ninety-one of the revised statutes; and

A bill to incorporate the Grand Rapids hydraulic company.

And also reported back with sundry amendments in which the concurrence of the House was asked,

A bill to create a state board of equalization and to apportion the state tax among the several counties of the state; and

A joint resolution in relation to the county of Shiawassee.

On motion of Mr. Coe,

The further consideration of the bill to repeal section twenty of chapter ninety-one of the revised statutes, was indefinitely postponed.

The bill to incorporate the Grand Rapids hydraulic company, was ordered to be read the third time.

The first amendment reported by the committee of the whole to the joint resolution in relation to the county of Shiawassee, was non-concurred in, and the remainder of the amendments were concurred in.

On motion of Mr. Deming,

The further consideration of the joint resolution was indefinitely postponed.

On motion of Mr. Giddings,

The House adjourned.

#### AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Chittenden,

The House resolved itself into committee of the whole on the general order, Mr. H. H. Comstock in the chair, and after spending some time thereon, the committee rose and by their chairman reported back to the House without amendment,

A bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony and other immigrants now settling in the counties of Ottawa and Allegan;

A bill to incorporate the village of Leslie;

A bill to incorporate the village of Port Huron;

A bill authorizing Richard H. Connor to convey certain real estate;

A bill in relation to the recorder of Detroit;

A bill to legalize notices given in pursuance of stipulations on the sale of real estate and other property;

A bill in relation to the terms of the supreme court; and  
Joint resolutions relative to slavery and the slave trade in the District of Columbia.

And also reported back with sundry amendments, in which the concurrence of the House was asked,

A bill to lay out, alter and establish a public highway on section one, town two north, of range eleven east, in Troy, Oakland county;

A bill relative to convicts sentenced to solitary confinement in the state prison for life;

A bill to amend chapter ninety-four of the revised statutes in relation to criminal proceedings before justices of the peace;

Joint resolution relative to the claim of David Page; and

Joint resolutions in regard to the sum of two hundred dollars received from the state by Charles G. Hammond, late Auditor General, on a warrant numbered three thousand eight hundred and ninety-four.

The amendment to, being a substitute for, reported by the committee of the whole to the bill to amend chapter ninety-four of the revised statutes in relation to criminal proceedings before justices of the peace, was concurred in, and the bill was ordered to be read the third time.

The amendment reported to the bill relative to convicts sentenced to solitary confinement in the state prison for life, was concurred in, and

On motion of Mr. G. B. Turner,

The further consideration of the bill was indefinitely postponed.

The amendment reported to the bill to lay out, alter and establish a public highway on section one, town two north, of range eleven east, in Troy, Oakland county, was non-concurred in.

On motion of Mr. Belding,

The words "William Fisher, Almon Mack, and Hervey Parke," were stricken out, and "commissioners of highways of the township of Troy," inserted.

The bill was then ordered to be read the third time.

A bill to legalize notices given in pursuance of stipulations on the sale of real estate and other property, was taken up, and

On motion of Mr. Coe,

Its further consideration was indefinitely postponed.

The amendment reported to the joint resolution relative to the claim of David Page, was concurred in, and

On motion of Mr. G. B. Turner,

Its further consideration was indefinitely postponed:

The joint resolution relative to slavery and the slave trade in the District of Columbia, being under consideration,

Mr. J. W. Turner moved that all after the word "Columbia," in the second line of the second resolution be stricken out, which motion was lost.

Mr. Ingersoll moved that the second resolution be stricken out, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Davis,	Mr. Ingersoll,
Burk,	Deming,	McNair,
Chittenden,	Fox,	Parkhurst,
Coman,	Harger,	Speaker,
David,		

13

## NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Mulhollen,
Bacon,	Haight,	Pennoyer,
Belding,	Hartsuff,	Salzer,
Buck,	Hawley,	Smith,
Cady,	Hobart,	G. B. Turner,
Campbell,	Lockwood,	J. W. Turner,
Chamberlain,	Lovell,	Turrill,
Coe,	Matthews,	Waite,
H. H. Comstock,	McNeil,	Wilkinson,
O. C. Comstock,	Moffatt,	Wright,
Dayton,	Morton,	

32

Mr. J. W. Turner moved that the words "of inconsistency," be stricken out of the third line of the first resolution, which motion was lost.

Mr. David moved that all after the enacting clause be stricken out, which motion was lost, by the following vote:

## YEAS.

Mr. Allen,	Mr. Coman,	Mr. Fox,
Belding,	David,	Harger,
Burk,	Davis,	McNair,
Chittenden,	Deming,	Parkhurst,

12

## NAYS.

Mr. Andrews,	Mr. Hartsuff,	Mr. Pennoyer,
Bacon,	Hawley,	Salzer,
Buck,	Hobart,	Smith,

Cady,	Ingersoll,	Stevens,
Campbell,	Kilborn,	G. B. Turner,
Chamberlain,	Lockwood,	J. W. Turner,
Coe,	Lovell,	Turrill,
H. H. Comstock,	Matthews,	Tuttle,
O. C. Comstock,	McNeil,	Waite,
Dayton,	Moffatt,	Wilkinson,
Giddings,	Morton,	Wright,
Haight,	Mulhollen,	Speaker, 36

Mr. Moffatt moved the previous question, which was demanded, and the main question was ordered to be now put.

The joint resolution was then ordered to be read the third time, and

On motion of Mr. H. H. Comstock,

The rule was suspended, and

The joint resolution was read the third time, and passed, by the following vote:

YEAS.

Mr. Andrews,	Mr. Haight,	Mr. Pennoyer,
Bacon,	Hartsuff,	Salzer,
Buck,	Hawley,	Smith,
Cady,	Hobart,	Stevens,
Campbell,	Ingersoll,	G. B. Turner,
Chamberlain,	Lockwood,	J. W. Turner,
Coe,	Lovell,	Turrill,
H. H. Comstock,	Matthews,	Tuttle,
O. C. Comstock,	McNeil,	Waite,
Dayton,	Moffatt,	Wilkinson,
Deming,	Morton,	Wright,
Earl,	Mulhollen,	Speaker,
Giddings,		37

YEAS.

Mr. Allen,	Mr. Coman,	Mr. Harger,
Belding,	David,	McNair,
Chittenden,	Davis,	Parkhurst,
		9

The first amendment reported to the joint resolution in regard to the sum of two hundred dollars received from the state by Charles G. Hammond, late Auditor General, on a warrant numbered three thousand eight hundred and ninety-four, was concurred in.

The question being on concurring in the second amendment, being a substitute entitled „a joint resolution instructing the Attorney General to notify Charles G. Hammond to return certain moneys to the state treasury,” it was concurred in, by the following vote:

## YEAS.

Mr. Bacon,	Mr. Giddings.	Mr. Moffatt,
Belding,	Haight,	Mulhollen,
Buck,	Harger,	Parkhurst,
Burk,	Hartsuff,	Salyer,
Cady,	Hobart,	Smith,
Chamberlain,	Holmes,	G. B. Turner,
Coe,	Ingersoll,	J. W. Turner,
H. H. Comstock,	Kilborn,	Turrill,
O. C. Comstock,	Lovell,	Waite,
Dayton,	Matthews,	Wilkinson,
Earl,	McNeil,	Wright,
Fox,		

34.

## NAYS.

Mr. Allen,	Mr. David,	Mr. Pennoyer,
Andrews,	Davis,	Tuttle,
Campbell,	Flower,	Speaker,
Coman,	Hawley,	

11.

The joint resolution was then ordered to be read the third time.

On motion of Mr. H. H. Comstock,

The rule was suspended and the joint resolution was read the third time, and was passed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Earl,	Mr. Mulhollen,
Bacon,	Giddings,	Moffatt,
Belding,	Haight,	McNeil,
Buck,	Harger,	Parkhurst,
Burk,	Hartsuff,	Salyer,
Cady,	Hobart,	Smith,
Chamberlain,	Holmes,	G. B. Turner,
Coe,	Ingersoll,	J. W. Turner,
H. H. Comstock,	Kilborn,	Turrill,
O. C. Comstock,	Lovell,	Waite,
Davis,	Matthews,	Wright,
Dayton,		

34

## NAYS.

Mr. Andrews,	Mr. David,	Mr. Pennoyer,
Campbell,	Flower,	Wilkinson,
Coman,	Hawley,	Speaker,

9

The following entitled bills were severally ordered to be read the third time, viz:

A bill in relation to the terms of the supreme court;

A bill to authorize Richard H. Connor to convey certain real estate;

A bill in relation to the recorder of Detroit; and



A bill to incorporate the village of Port Huron.

The following entitled bills were severally ordered to be engrossed and read the third time, and the engrossment being dispensed with, they were placed on the order of bills for a third reading, viz :

A bill to incorporate the village of Leslie; and

A bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony and other immigrants now settling in the counties of Ottawa and Allegan.

The House having arrived at the order of unfinished business, took up the following entitled bills, and ordered them to be read the third time, viz:

A bill to alter and lay out a certain state road; and

A bill providing for the payment of fees of certain officers for services rendered in criminal cases.

The amendments reported by the committee of the whole to the bill to amend section four of chapter one hundred and sixteen of the revised statutes of 1846, were non-concurred in, and

The bill was ordered to be read the third time.

The amendments reported to the bill to authorize the supreme court to make rules regulating the practice in the circuit and county courts in cases where a non-joinder or mis-joinder of parties occur, were concurred in, and

The bill was ordered to be read the third time.

The bill to incorporate the Union mining company was taken up, and

On motion of Mr. Coe,

Amended by adding to section six the following words: " And any person may enforce the said lien by filing with any court having jurisdiction thereof, an affidavit showing to the satisfaction of such court that he has a claim under the provisions of this section, and such court may thereupon issue an attachment against the property of such company, and the same proceedings may be thereupon had as in other cases."

The bill was then ordered to be read the third time.

The amendment reported to the bill to encourage the publication of the report of the geological and lineal surveys and accompanying maps of the upper peninsula of Michigan, was concurred in, and

On motion of Mr. Stevens,

The further consideration of the bill was indefinitely postponed.

The amendments reported to the bill to refer to the electors of the county of Berrien the question of removing the county seat to the village of Niles, were concurred in, and

On motion of Mr. Stevens,

The further consideration of the bill was indefinitely postponed.

The bill to create a state board of equalization and to apportion the state tax among the several counties of the state, was taken up, and the question being on concurring in the substitute therefor, reported from the committee of the whole,

Mr. Turrill moved to amend the substitute by striking out of the third line of the sixth section the word "ninety," and insert "seventy."

Mr. Lovell moved to amend the motion so as to insert "eighty," which motion prevailed, and the amendment as amended was then agreed to.

Mr. Coe moved that the further consideration of the bill be indefinitely postponed, which motion was decided in the negative, by the following vote:

#### YEAS.

Mr. Andrews,  
Belding,  
Buck,  
Campbell,  
Coe,  
Davis,

Mr. Dayton,  
Flower,  
Giddings,  
Haight,  
Harger,  
Lockwood,

Mr. McNeil,  
Mulhollen,  
Parkhurst,  
Salyer,  
White,  
Wright, 18

#### NAYS.

Mr. Allen,  
Bacon,  
Cady,  
Chamberlain,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,

Mr. Deming,  
Fox,  
Hartsuff,  
Hawley,  
Hobart,  
Holmes,  
Kilborn,  
Matthews,  
Moffatt,

Mr. Morton,  
O'Malley,  
Pennoyer,  
Smith,  
Stevens,  
J. W. Turner,  
Turrill,  
Tuttle,  
Speaker, 27

The substitute was then adopted, and the bill was ordered to be read the third time.

The following communications were received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, March 31, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to authorize Eunice James, widow of Solomon James, to sell certain real estate;

An act to incorporate the Phoenix copper company;

An act supplementary to an act to establish a state Normal school; and

An act to incorporate the Native copper company.

EPAPHRO. RANSOM.

EXECUTIVE OFFICE,  
Lansing, March 31, 1849.

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for laying out a state road from Ohio, north to the village of Hudson;

An act to lay out a state road in the county of Ottawa;

An act to vacate the plat of the village of the Lake, in the county of Washtenaw;

An act to define and amend the eighth subdivision of section twenty-seven of chapter one hundred and six of the revised statutes of 1846;

An act to repeal the sixteenth section of an act to amend the revised statutes of 1846, approved April 3, 1848;

An act to repeal section two of an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847;

An act to enlarge the powers and increase the number of officers in school districts in certain cases; and

An act to incorporate the Galesburg and Grand Rapids plank road company.

EPAPHRO. RANSOM.

The following messages were received from the Senate:

SENATE CHAMBER,  
Lansing, March 29, 1849.

*To the Speaker of the House of Representatives:*

Sir—I am instructed to respectfully inform you that the Senate have concurred in the House amendments to the following entitled bills and joint resolutions, and have ordered the same as amended to be enrolled:

Joint resolution relative to the construction of a ship canal around the Falls of Niagara, and the Sault Ste Marie;

A bill to consolidate the laws in relation to county courts, and for other purposes, and

A bill for the relief of David A. Wright.

I am further instructed to return herewith the following entitled bills and joint resolution, and to respectfully inform you that the Senate have non-concurred therein, viz:

A bill to require the county treasurers to cancel and adjust certain sales of lands for taxes;

A bill to repeal section five of an act entitled an act relative to state printing, approved March 12, 1849;

Joint resolution to rescind joint resolution, number thirty-two of the session laws of 1848.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

SENATE CHAMBER,  
Lansing, March 30, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill for improving the navigation of Maple river;

A bill to prevent the transportation of pickled fish without inspection;

A bill to authorize Adrian union school district number one to borrow money for the purposes therein mentioned; and

A bill to vacate the plat of the village of Sharon, in the county of Washtenaw.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bills returned with the foregoing message were ordered to be enrolled.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled and were this day presented to the Governor for his approval, viz:

A bill to repeal an act entitled an act to authorize the erection of a toll gate and for keeping in repair the Detroit and Saginaw road, and for other purposes;

A bill to incorporate the lake Michigan and Terre Coupees plank road company;

A bill to incorporate the Frederick and Utica plank road company;

A bill to provide for laying out a state road from the township of Ingham, in the county of Ingham, to the village of Dexter, in Wash-  
tenaw county;

A bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent;

A bill to amend an act entitled an act to incorporate the Jackson and Michigan plank road company.

On motion of Mr. McNeil,

The bill providing for the improvement of the state road leading from the village of Flint, in the county of Genesee, via the Miller settlement, to Shiawassee town, was taken from the file of bills reported against.

On motion of Mr. Giddings,

The House adjourned.

#### EVENING SESSION.

*Seven o'clock, P. M.*

The House met pursuant to adjournment, was called to order by the Speaker,

The bill providing for the improvement of the state road leading from the village of Flint, in the county of Genesee, via the Miller settlement to Shiawassee town, was taken up, and

On motion of Mr. Harger,

Its further consideration was indefinitely postponed.

On motion of Mr. Deming,

The vote by which the further consideration of the bill relative to convicts sentenced to solitary confinement in the state prison for life, was indefinitely postponed, was reconsidered.

Mr. Deming moved a reconsideration of the vote concurring in the amendment of the committee of the whole, striking out all after the enacting clause, which motion prevailed; and

The question recurring on concurring in the amendment it was non-concurred in.

The question then recurring on the motion to indefinitely postpone the further consideration of the bill, it was decided in the negative.

The bill was then ordered to be read the third time, was so read, and was passed, by yeas and nays, as follows:

## YEAS.

Mr. Andrews,	Mr. David,	Mr. McNeil,
Bacon,	Deming,	Moffatt,
Buck,	Fox,	Moran,
Burk,	Harger,	Pennoyer,
Campbell,	Hartsuff,	Smith,
Chittenden,	Hawley,	Stevens,
Coe,	Lockwood,	J. W. Turner,
Coman,	Matthews,	Speaker,
O. C. Comstock,		25

## NAYS.

Mr. Allen,	Mr. Hobart,	Mr. O'Malley,
Cady,	Holmes,	Parkhurst,
Davis,	Lovell,	G. B. Turner,
Dayton,	McNair,	Waite,
Earl,	Morton,	Wilkinson,
Giddings,	Mulhollen,	W

Mr. Allen moved that the title of the bill be amended so as to read "a bill to abolish the punishment for crime," which motion was lost, and the original was title agreed to.

The following entitled bills were severally read the third time and each passed by a two-thirds vote, viz:

A bill to incorporate the Union mining company;

A bill to incorporate the village of Port Huron;

A bill to incorporate the village of Leslie; and

A bill to incorporate the Grand Rapids hydraulic company.

The following entitled Bills were severally read the third time and passed, viz:

A bill to authorize the supreme court to make rules regulating the practice in the circuit and county courts in cases where a non-joinder or mis-joinder of parties occur;

A bill to amend section four of chapter one hundred and sixteen of the revised statutes of 1846;

A bill providing for the payment of fees of certain officers for services rendered in criminal cases;

A bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants now settling in the counties of Ottawa and Allegan;

A bill in relation to the recorder of Detroit;

A bill to authorize Richard H. Connor to convey certain real estate;

A bill in relation to the terms of the supreme court;

A bill to alter and lay out a certain state road; and

A bill to lay out, alter and establish a public highway on section one, town two north, of range eleven east, in Troy, Oakland county.

The bill to amend chapter ninety-four of the revised statutes in relation to criminal proceedings before justices of the peace, was read the third time and passed, and

On motion of Mr. J. W. Turner,

The title was amended by striking out the words "before justices of the peace."

The bill to create a state board of equalization and to apportion the state tax among the several counties of the state, was read the third time, when

Mr. Waite moved that its further consideration be indefinitely postponed, which motion was decided in the negative, by the following vote:

YEAS.

Mr. Andrews,  
Belding,  
Buck,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Coe,

Mr. Davis,  
Dayton,  
Earl,  
Giddings,  
Haight,  
Harger,  
Hartsuff,  
Leckwood,

Mr. McNeil,  
Mulhollen,  
Parkhurst,  
Salzer,  
G. B. Turner,  
Turrill,  
Waite,  
Wright, 24.

NAYS.

Mr. Allen,  
Bacon,  
Chittenden,  
Coman,  
H. H. Comstock,  
O. C. Comstock,  
David,  
Deming,  
Fox,

Mr. Hawley,  
Hobart,  
Holmes,  
Ingersoll,  
Kilborn,  
Lovell,  
Matthews,  
McNair,  
Moffatt,

Mr. Moran,  
Morton,  
Pennoyer,  
O'Malley,  
Smith,  
Stevens,  
J. W. Turner,  
Wilkinson,  
Speaker, 25.

The question recurring on the passage of the bill, it was not passed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Hartsuff,	Mr. Moran,
Bacon,	Hawley,	Morton,
Chittenden,	Holmes,	Pennoyer,
Coman,	Kilborn,	Smith,
H. H. Comstock,	Lovell,	Stevens,
O. C. Comstock,	Matthews,	J. W. Turner,
David,	McNair,	Wilkinson,
Deming,	Moffatt,	Speaker,
Fox,		

25

## NAYS.

Mr. Andrews,	Mr. Dayton,	Mr. McNeil,
Belding,	Earl,	Mulhollen,
Buck,	Giddings,	Parkhurst,
Burk,	Haight,	Salver,
Cady,	Harger,	G. B. Turner,
Campbell,	Hobart,	Turrill,
Chamberlain,	Ingersoll,	Waite,
Coe,	Lockwood,	Wright,
Davis,		

26

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 31, 1849.

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bill, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to amend an act entitled an act to incorporate the North American health-insurance company.

Also, the following entitled joint resolution, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

Joint resolution instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury.

I am further instructed to transmit herewith the following entitled bill and joint resolutions, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to create a road fund for the benefit of the state road between Lansing and Eaton Rapids, and to authorize the appointment of a commissioner to expend the same;



Joint resolution relative to a certain appropriation of internal improvement lands; and

Preamble and joint resolution relative to the selection and location of certain internal improvement lands, and for other purposes.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The bill to amend an act entitled an act to incorporate the North American health insurance company, was ordered to be enrolled.

The bill to create a road fund for the benefit of the state road between Lansing and Eaton Rapids, and to authorize the appointment of a commissioner to expend the same, was read twice, when

Mr. Chittenden moved a suspension of the rules, which motion prevailed, and

The bill was ordered to be read the third time, was so read and was passed.

The Senate joint resolution relative to a certain appropriation of internal improvement lands, and

The Senate preamble and joint resolution relative to the selection and location of certain internal improvement lands, and for other purposes,

Were severally read twice and referred to the committee on public lands.

The joint resolution instructing the Attorney General to recover of Charles G. Hammond, late Auditor General, a certain sum of money illegally taken from the treasury, was taken up, and

The question being on concurring in the Senate amendments thereto, when,

On motion of Mr. G. B. Turner,

The further consideration of the joint resolution and amendments were indefinitely postponed.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to amend an act entitled an act to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, ap-

proved January 29, 1848, and March 28, 1848, approved January 25, 1849;

A bill to provide for the removal of the state land office to the seat of government;

A bill appropriating certain non-resident highway taxes on the road leading from Hillman's, in the township of Tyrone, in the county of Livingston, to Pontiac, in the county of Oakland;

A bill for improving the navigation of Maple river; and

A bill to amend an act entitled an act to incorporate the North American health insurance company.

On motion of Mr. Coe,

The joint resolution relative to the discharge of a certain mortgage, was taken from the table, and

The question being on its passage, it was passed.

Mr. Kilborn, from the committee on public lands, to whom were referred the Senate joint resolution relative to a certain appropriation of internal improvement lands, and

The Senate preamble and joint resolutions relative to the selection and location of certain internal improvement lands, and for other purposes,

Reported the same back without amendment and recommended their passage, which report was accepted, and the committee discharged from the further consideration of the subject, and the preamble and joint resolutions were referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, March 31, 1849. }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return herewith the following entitled bill, which the Senate have passed with amendments in which the concurrence of the House is respectfully asked; viz:

A bill making appropriations to defray certain expenses authorized for the year 1849.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

On motion of Mr. Chamberlain,

The House resolved itself into committee of the whole on the bill making appropriations to defray certain expenses authorized for the year 1849, Mr. Deming in the chair, and after spending some time thereon, the committee rose and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Chittenden;

The House adjourned.

*Monday, April 2, 1849.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Chaplain.

The roll was called, and Messrs. Bowne, Curtis, A. Gillet, M. S. Gillett, Mosher, St. Clair and Tilden were absent on leave, and Messrs. Ferguson, Haight, Hammond and Stoddard were absent without leave.

Mr. Coman asked and obtained leave of absence for Mr. Stoddard for the day.

The following communication was received from the Auditor General:

AUDITOR GENERAL'S OFFICE;  
Lansing, March 31, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—Some weeks ago, in looking forward over the prospective business of this office for the current year, and upon which I would be called upon to act, before the meeting of another legislature, I discovered what I considered to be some difficulties or defects, or provisions which might give rise to some trouble hereafter between the county of Monroe and the state, arising out of the latter part of section five, act number two hundred and five, 1848. That is the only county which has thus far returned to this office, any swamp or ditch tax under act number one hundred and four, 1847, entitled "an act to provide for the draining of swamps, marshes and other low lands," and is therefore the only one to be affected by the provisions of the fifth section of the amendatory act of 1848, above mentioned, for at least two years to come. The first part of said fifth section very properly provides, that the counties, returning a swamp

tax under the act of 1847, shall not be entitled to credit for the amount of such tax from the state, as counties are credited for other delinquent taxes upon their return to this office, but that the state shall only be liable for said special tax, upon the actual payment of the same into the state treasury before the lands become liable to be sold for taxes; or if sold to individuals at the time of the tax-sales for said tax; or third, in case of their being struck off to the state, when said lands shall be redeemed, or the state bid purchased. In any of those contingencies, the state will of course have received the tax, interest and charges; and should therefore credit the county with the tax and interest from the time of its return. And in no other case, can the state be liable for the tax or interest to the county, under the provisions of the first clause of the fifth section of the amendatory act of 1848.

But the latter part of said section, notwithstanding that the first clause provides that the state shall not be liable for any swamp tax returned to this office, even when lands returned for said tax are struck off to the state, until said lands are either redeemed or the state bid purchased, goes on to prescribe that the lands so returned shall not be struck off to the state at all, although the first part had just provided against the state being considered liable for the tax in such a contingency. By the latter clause, the lands are required to be struck off to the county for the swamp tax, if not sold to individuals, instead of being struck off to the state as in the case of other taxes, if there are no other bidders.

One of the difficulties arising out of this provision requiring the lands to be struck off to the county for the swamp tax, will be a conflict, or at least an apparent conflict, of the tax titles growing out of the same year's taxes. For the state, county and town taxes, a tract may be sold to an individual or struck off to the state, whilst for the swamp tax of the same year, it may be struck off to the county. The question arises immediately, which title shall have precedence, or what validity would there be in the title of the county, or the title which it could give arising out of the sale for said tax, if the sale for the state, county, or town tax should have precedence.

And, granting that the county should receive or could confer a title of any validity under such circumstances, another difficulty would arise the following year, at the sale of the next year's taxes. The same lands, if returned as they generally, if not universally, would

be, for the state, county and town taxes of a succeeding year, would then be offered the year following their sale to the county, for the next succeeding year's taxes, and no county officer being at present authorized to bid off lands for the county when sold for state, county and town taxes, the title of the county, whatever it might be, acquired from bidding in the lands for the swamp tax, would be entirely cut off by the sale for a subsequent year's tax, either to some individual purchaser at the latter sale, or by lands being struck off to the state for the subsequent year's tax.

The interests of the state seem to me to be fully guarded by the provisions of the first clause of the fifth section of the above mentioned amendatory act of 1848; but the latter portion of it seems to me only to lay the foundation for trouble between the state and counties interested in any swamp tax returned to this office. It was undoubtedly the intention of the legislature of 1848, in adding the latter clause of said section, to guard still further against the liability of the state on account of any such tax; but it is for the present legislature to review the matter, and see if it does not rather lead to a claim of any county affected by it, to remuneration for the want of title, or for being subsequently, without fault on her part, being cut off from what of title she might have had.

My apology, for making this communication at this late period of the session, is, that I mentioned the matter some weeks ago, to one of the members from Monroe county, who was on the committee of ways and means, and who has now been absent for some time from his seat; and it was only a day or two ago, that I learned that the subject of the repeal of the latter clause of the section above mentioned, had not been brought before the legislature. When the matter was to-day brought to the notice of one or both Houses, I regretted to find the subject not properly understood, as I thought, and wrong motives imputed to me, on account of having suggested it. Wishing, therefore, in my own justification, to place the recommendation and the reasons for it on record, on the letter-book of this office, and amongst the documents of the two Houses, in the form in which I thought, perhaps, to have first made the suggestion.

I have the honor to be,

Yours, most respectfully,

JOHN J. ADAM,

*Auditor General.*

The following communications were received from the Executive:

EXECUTIVE OFFICE,  
Lansing, March 31, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to amend an act entitled an act to incorporate the North American health insurance company;

An act for the improvement of the road leading from Hillman's, in the township of Tyrone, in the county of Livingston, to Pontiac, in the county of Oakland;

An act to amend an act entitled an act to amend an act entitled an act to authorize the supervisors of the county of Kent to construct a canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849;

An act for improving the navigation of Maple river; and

An act to provide for the removal of the state land office to the seat of government;

EPAPHRO. RANSOM.

EXECUTIVE OFFICE,  
Lansing, March 31, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act to provide for laying out a state road from the township of Ingham, in the county of Ingham, to the village of Dexter, in Washtenaw county;

An act to incorporate the Frederick and Utica plank road company;

An act to repeal an act entitled an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road, and for other purposes;

An act to incorporate the Lake Michigan and Terre Coupee plank road company;

An act to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent; and

An act to amend an act entitled an act to incorporate the Jackson and Michigan plank road company.

EPAPHRO. RANSOM.

The following communications were received from the Senate:

SENATE CHAMBER, }  
Lansing, March 31, 1849 }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith, the following entitled bill, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

A bill to revive and continue in force certain sections of an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

SENATE CHAMBER, }  
Lansing, April 2, 1849 }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to incorporate the village of St. Mary;

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes;

A bill to lay out a certain state road;

A bill to authorize the mayor, recorder and aldermen of the city of Detroit, to raise an amount of money by tax; and

A bill appropriating certain non-resident highway taxes for the improvement of the road running from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White Lake, to the village of Pontiac, in the county of Oakland.

I am further instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have non-concurred therein:

A bill to amend section thirty-six of chapter fourteen of the revised statutes of 1846; and

A bill to amend chapter twenty-four of the revised statutes of 1846.

I am further instructed to respectfully inform you that the Senate have concurred in the amendment of the House to a bill to regulate the carrying of baggage by railroad companies, and have ordered the same as amended to be enrolled.

Respectfully, &c.

W. L. BANCROFT,

*Secretary of the Senate.*

The following entitled bills were ordered to be enrolled:

A bill to incorporate the village of St. Mary;

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes;

A bill to lay out a certain state road;

A bill to authorize the mayor, recorder and aldermen of the city of Detroit, to raise an amount of money by tax; and

A bill appropriating certain non-resident highway taxes for the improvement of the road running from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White Lake, to the village of Pontiac, in the county of Oakland.

Mr. Buck asked and obtained leave to withdraw from the files of the House, the petition and papers of James M. Tefft.

On motion of Mr. Deming,

The committee of the whole were discharged from the further consideration of the bill making appropriations to defray certain expenses authorized for the year 1849.

On motion of Mr. Lovell,

The Senate amendment was amended by inserting the words "To A. W. Hovey, for services as Clerk *pro tempore* of the House of Representatives for 1848 and 1849, the sum of forty-nine dollars and sixty-eight cents.

Mr. Chittenden moved the previous question, which was demanded, and the main question was ordered to be now put.

The question then being on concurring in the Senate amendments, they were non-concurred in, by the following vote:

YEAS.

Mr. Burk,  
Chittenden,

Mr. Ingersoll,  
O'Malley,

Mr. Salyer,  
Speaker, 6

NAYS.

Mr. Allen  
Andrews,

Mr. Deming,  
Fox,

Mr. Moran,  
Morton,



Bacon,	Flower,	Mulhollen,
Belding,	Harger,	Parkhurst,
Buck,	Hawley,	Pennoyer,
Cady,	Hobart,	Smith,
Chamberlain,	Holmes,	Stevens,
Coe,	Kilborn,	G. B. Turner,
Coman,	Lockwood,	J. W. Turner,
H. H. Comstock,	Lovell,	Turrill,
O. C. Comstock,	Matthews,	Tuttle,
David,	McNair,	Waite,
Davis,	McNeil,	Wilkinson,
Dayton,	Moffatt,	Wright,

42

On motion of Mr. Deming,

A committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on said bill, and

The Speaker appointed Messrs. Deming, O. C. Comstock and Lovell, as such committee.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to authorize Adrian union school district number one, to borrow money for the purposes therein mentioned;

A bill to vacate the plat of the village of Sharon, in the county of Washtenaw;

A bill to prevent the transportation of pickled fish without inspection; and

A bill appropriating certain non-resident highway taxes for the improvement of the road running from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White Lake, to the village of Pontiac, in the county of Oakland.

On motion of Mr. Turrill,

The committee of the whole were discharged from the further consideration of the joint resolution relative to a certain appropriation of internal improvement lands, and

The joint resolution was ordered to be read the third time, was so read and was passed.

Mr. Lockwood moved a reconsideration of the vote by which the House refused to pass the bill to legalize notices given in pursuance

of stipulations on the sale of real estate and other property, which motion was lost.

Mr. Mullhollen moved a reconsideration of the vote by which the House refused to pass the bill to create a state board of equalization, and to apportion the state tax among the several counties of the state, which motion was decided in the negative, by the following vote:

## YEAS.

Mr. Allen,	Mr. Deming,	Mr. Morton,
Bacon,	Fox,	Mulhollen,
Chittenden,	Hawley,	Pennoyer,
Coman,	Holmes,	Stevens,
O. C. Comstock,	Kilborn,	Tuttle,
H. H. Comstock,	Lovell,	Wilkinson,
David,	Matthews,	Speaker,
		21

## NAYS.

Mr. Andrews,]	Mr. Earl,	Mr. Moffatt,
Belding,	Flower,	Moran,
Buck,	Giddings,	Parkhurst,
Burk,	Harger,	Salter,
Cady,	Hobart,	Smith,
Campbell,	Lockwood,	G. B. Turner,
Coe,	McNair,	Waite,
Davis,	McNeil,	Wright,
		24

Mr. Kilborn, pursuant to previous notice, asked and obtained leave to introduce a bill to amend an act entitled an act granting to school districts and religious denominations of professing christians, suitable grounds, in the town of Michigan, whereon to erect houses of public worship, and school houses, approved April 3, 1848, which was read twice, and

On motion of Mr. Coe,

Amended by inserting the following to stand as section two:

Sec. 2. A good and substantial building, worth at least one thousand dollars, shall be erected upon every lot selected under the provisions of this act, within two years from the passage thereof, or the lot so selected shall revert to the State.

The bill was then ordered to be engrossed and read the third time.

On motion of Mr. Morton,

The rule was suspended, and the engrossment being dispensed with, the bill was read the third time, and passed, by the following vote:

## YEAS.

Mr. Allen,	Mr. Earl,	Mr. McNeil,
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Andrews,  
Bacon,  
Belding,  
Buck,  
Burk,  
Cady,  
David,  
Dayton,

Flower,  
Giddings,  
Harger,  
Hawley,  
Holmes,  
Kilborn,  
Lockwood,  
Matthews,

Morton,  
Mulhollen,  
Prakhurst,  
Smith,  
G. B. Turner,  
Tuttle,  
Waite,  
Speaker, 27

## NAYS.

Mr. Chamberlain,  
Chittenden,  
Coe,

Mr. Coman,  
O'Malley,  
Pennoyer,

Mr. J. W. Turner,  
Turrill,  
Wilkinson, 9

The following messages were received from the Senate:

SENATE CHAMBER, }  
*Lansing, April 2, 1849.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the bill making appropriations to defray certain expenses authorized for the year 1849, and to respectfully inform you that the Senate have appointed Messrs. Shoemaker, Dunham and Robinson a committee of conference on the disagreement between the two Houses thereon.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

SENATE CHAMBER, }  
*Lansing, April 2, 1849.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith a bill to amend the revised statutes of 1846, which the Senate have passed, and in which the concurrence of the House is respectfully asked; also,

A bill to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The Senate bill to amend the revised statutes of 1846, was read twice, and

On motion of Mr. H. H. Comstock,

Its further consideration was indefinitely postponed.

The Senate bill to amend an act entitled an act to provide for the

draining of swamps, marabes and other low lands, was read twice, when

Mr. Giddings moved a suspension of the rule, so that the bill might receive its third reading to-day, which motion prevailed by a two-thirds vote, as follows:

## YEAS.

Mr. Allen,	Mr. Davis,	Mr. Parkhurst,
Andrews,	Earl,	Pennoyer,
Belding,	Flower,	Salyer,
Burk,	Giddings,	Stevens,
Cady,	Hawley,	G. B. Turner,
Campbell,	Holmes	Tuttle,
Chamberlain,	Kilborn,	Waite,
Chittenden,	McNeil,	Wright,
H. H. Comstock,	Morton,	Speaker, 27

## NAYS.

Mr. Buck,	Mr. Dayton,	Mr. J. W. Turner,
Coe,	Mulhollen,	Turrill,
Coman,	Smith,	Wilkinson, 9

Mr. Coe offered House bill number one hundred and eight, entitled a bill to repeal an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved March 17, 1847, and for other purposes, as a substitute for the bill, which substitute was adopted.

After some discussion,

On motion of Mr. Giddings,

The bill was referred to the committee on the judiciary.

On motion of Mr. Chamberlain,

The bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg, was taken from the table, and

The Senate amendments thereto were severally concurred in, each by a two-thirds vote, and the bill as amended was ordered to be enrolled.

On motion of Mr. Chittenden,

The House adjourned.

## AFTERNOON SESSION.

*Two o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, April 2, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to amend an act to organize certain townships, approved March 15, 1849;

A bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes; and

A bill relative to elections.

I am further instructed to return herewith the following entitled bills, which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked, viz:

A bill for the improvement of the county line road leading from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham; and

A bill making appropriations for salaries of the state officers for the year 1849.

Also, the following entitled bills, and to respectfully inform you that the Senate have non-concurred therein, viz:

A bill to incorporate the Marshall and Constantine railroad company;

A bill to incorporate the village of Leslie;

A bill concerning divorcees;

A bill to provide for the punishment of certain offences;

A bill to amend chapter fifty-eight of the revised statutes of 1846;

A bill to amend section twenty-three of chapter forty-one of the revised statutes of 1846; and

A bill to incorporate the St. Joseph river navigation company.

Also, the following entitled bills, and to respectfully inform you that the Senate have concurred therein, viz:

A bill to authorize the wardens and vestry of Trinity church, in Marshall, to convey certain real estate; and

A bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants, now settling in the counties of Ottawa and Allegan.

I am further instructed to transmit herewith the following entitled bills, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz :

A bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848;

A bill to incorporate the St. Joseph beneficial society of the state of Michigan;

A bill to amend an act entitled an act to amend the revised statutes of 1846, approved April 3, 1848; and

A bill to change the name of the township of Ransom, in Hillsdale county.

Also, to return a bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847, and to respectfully inform you that the Senate have receded from their second amendment thereto.

Respectfully, &c.,

W. L. BANCROFT,

*Secretary of the Senate.*

The following entitled bills were ordered to be enrolled, viz :

A bill to amend an act to organize certain townships, approved March 15, 1849;

A bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes;

A bill to authorize the wardens and vestry of Trinity church, in Marshall, to convey certain real estate;

A bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants now settling in the counties of Ottawa and Allegan; and

A bill to amend an act entitled an act to amend the revised statutes of 1846.

The Senate bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848, was read twice.

On motion of Mr. Cady,

The rules were suspended so as to enable the Senate bills to be finally acted upon to-day.

The last named bill was then ordered to be read the third time, was so read, and was passed by a two-thirds vote.

The Senate bill to amend an act entitled an act to amend the revised statutes of 1846, approved April 3, 1848, was read twice and ordered to be read the third time, was so read and was passed.

The Senate bill to change the the name of the township of Ransom, in Hillsdale county, was read twice, and ordered to be the read third time, was so read and was passed.

The Senate bill to incorporate the St. Joseph's beneficial society of the state of Michigan, was read twice, and ordered to be read the third time, was so read, and the question being on its passage, it was not passed, by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Allen,  
Andrews,  
Buck,  
Cady,  
Campbell,  
Chamberlain,  
Coe,  
Coman,  
O. C. Comstock,

Mr. David,  
Earl,  
Giddings,  
Hawley,  
Holmes,  
Ingersoll,  
Kilborn,  
Lovell,

Mr. Matthews,  
McNeil,  
Moran,  
Morton,  
Mulhollen,  
O'Malley,  
Parkhurst,  
Smith,

25

NAYS.

Mr. Bacon,  
Belding,  
H. H. Comstock,  
Davis,  
Dayton,  
Deming,  
Fox,  
Harger,

Mr. Hobart,  
Lockwood,  
McNair,  
Moffatt,  
Pennoyer,  
Salzer,  
Stevens,

Mr. G. B. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,  
Wright,  
Speaker,

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Mr. Lockwood moved a reconsideration of the last vote, which motion was lost.

The Senate amendments to the following entitled bills were severally concurred in, and the bills as amended were ordered to be enrolled, viz:

A bill for the improvement of the county line road leading from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham; and

A bill making appropriations for salaries of state officers for the year 1849.

On motion of Mr. Pennoyer,

The bill to transfer the trusteeship of certain lands therein named, was taken from the file of bills reported against, and the bill was ordered to be read the third time, was so read and was passed.

On motion of Mr. Lovell,

The committee of the whole were discharged from the further consideration of the preamble and joint resolutions relative to the selection and location of certain internal improvement lands, and for other purposes, and

The preamble and joint resolutions were ordered to be read the third time, were so read and were passed.

The following messages were received from the Senate:

SENATE CHAMBER, }  
Lansing, April 2, 1849 }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to respectfully inform you that the Senate have concurred in the House amendments to the following entitled bills, and have ordered the same as amended to be enrolled, viz:

A bill to amend chapter ninety-four of the revised statutes in relation to criminal proceedings before justices of the peace;

A bill to incorporate the Union mining company;

A bill to authorize the supreme court to make rules regulating the practice in the circuit and county courts, in cases where a non-joinder or mis-joinder of parties occur; and

A bill to alter, lay out and establish a public highway on section one, town two north, of range eleven east, in Troy, Oakland county.

I am further instructed to return herewith the following entitled bill, and to inform you that the Senate have non-concurred therein, viz:

A bill to authorize the supervisors of the county of Ionia to build a free bridge across the Grand river, at Saranac, in the township of Boston, and for other purposes.

I am further instructed to return herewith the bill making appropriations to defray certain expenses authorized for the year 1849, together with the report of the committee of conference thereon, and to respectfully inform you that the Senate have concurred therein.

Respectfully, &c.,

W. L. BANCROFT,  
*Secretary of the Senate.*

SENATE CHAMBER, }  
Lansing, April 2, 1849 }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to transmit herewith the following entitled



joint resolutions, which the Senate have passed, and in which the concurrence of the House is respectfully asked, viz:

Joint resolution relative to publishing certain acts passed by the legislature of 1849; and

Joint resolution relative to a certain appropriation, and for other purposes.

I am further instructed to return herewith the following entitled bill, which the Senate have passed with an amendment, in which the concurrence of the House is respectfully asked, viz:

A bill to amend an act entitled an act granting to school districts and religious denominations of professing christians, suitable grounds in the town of Michigan, whereon to erect houses of worship and school houses, approved April 3, 1848.

Respectfully, &c.,

W. L. BANORFT,

*Secretary of the Senate.*

Mr. Hawley moved to amend the report of the committee of conference on the disagreement between the two Houses on the bill making appropriations to defray certain expenses authorized for the year 1849, so as to strike out of said bill the appropriation of sixty dollars to the members of the House and Senate from the counties of Mackinac and Chippewa, which motion was decided in the negative, by the following vote:

YEAS.

Mr. Andrews,  
Buck,  
Coe,  
David,  
Davis,  
Dayton,  
Deming,

Mr. Fox,  
Harger,  
Hawley,  
Hobart,  
Mulhollen,  
Smith,

Mr. G. B. Turner,  
J. W. Turner,  
Turrill,  
Tuttle,  
Waite,  
Wilkinson,

19

NAYS.

Mr. Allen,  
Bacon,  
Belding,  
Burk,  
Cady,  
Campbell,  
Chamberlain,  
Chittenden,  
Coman,  
H. H. Comstock,

Mr. O. C. Comstock,  
Earl,  
Flower,  
Holmes,  
Kilborn,  
Lockwood,  
Lovell,  
Matthews,  
McNair,

Mr. McNeil,  
Moffatt,  
Morton,  
Parkhurst,  
Pennoyer,  
Salyer,  
Stevens,  
Wright,  
Speaker,

28

The report of the committee was then concurred in, by the following vote:

## YEAS.

Mr. Allen,	Mr. Dayton,	Mr. Moffatt,
Andrews,	Deming,	Morton,
Belding,	Earl,	O'Malley,
Burk,	Flower,	Parkhurst,
Cady,	Holmes,	Pennoyer,
Campbell,	Ingersoll,	Salyer,
Chamberlain,	Lockwood,	Stevens,
Chittenden,	Lovell,	J. W. Turner,
Coman,	Matthews,	Wright,
O. C. Comstock,	McNair,	Speaker,
Davis,	McNeil,	

32

## NAYS.

Mr. Bacon,	Mr. Giddings,	Mr. Smith,
Buck,	Harger,	G. B. Turner,
Coe,	Hawley,	Turrill,
H. H. Comstock,	Hobart,	Tuttle,
David,	Kilborn,	Waite,
Fox,	Mulhollen,	Wilkinson,

18

The bill was then ordered to be enrolled.

The Senate joint resolution relative to a certain appropriation, and for other purposes, was read twice, when

Mr. Lockwood moved a suspension of the rules, which motion prevailed, and the joint resolution was ordered to be read the third time, by the following vote:

## YEAS.

Mr. Allen,	Mr. Davis,	Mr. O'Malley,
Bacon,	Dayton,	Parkhurst,
Belding,	Earl,	Pennoyer,
Burk,	Flower,	Salyer,
Cady,	Harger,	Smith,
Campbell,	Ingersoll,	Stevens,
Chamberlain,	Kilborn,	G. B. Turner,
Chittenden,	Lockwood,	Tuttle,
Coman,	Matthews,	Wright,
O. C. Comstock,	Moffatt,	Speaker,

30

## NAYS.

Mr. Andrews,	Mr. Fox,	Mr. McNeil,
Buck,	Giddings,	Mulhollen,
Coe,	Hobart,	Turrill,
H. H. Comstock,	Holmes,	Waite,
David,	Lovell,	Wilkinson,
Deming,	McNair,	

17

The joint resolution was then read the third time and passed.

The Senate joint resolution relative to publishing certain acts passed by the Legislature of 1849, was read twice, when

Mr. Chamberlain moved a suspension of the rules, which motion prevailed, and

The joint resolution was ordered to be read the third time, was so read and passed.

On motion of Mr. Cady,

*Resolved*, That the resolution offered in this House February twenty-third, 1849, relative to the absence of Mr. Flower, be not entered on the journals of this House.

On motion of Mr. Hawley,

*Resolved*, That when this House adjourns it will adjourn to meet this evening at seven o'clock.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill to amend an act to organize certain townships, approved March 15, 1849;

A bill to incorporate the village of St. Mary;

A bill to authorize the wardens and vestry of Trinity church, in Marshall, to convey certain real estate;

A bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg;

A bill to lay out a certain state road; and

A bill to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes.

On motion of Mr. Chittenden,

The House adjourned.

#### — EVENING SESSION.

*Seven o'clock P. M.*

The House met pursuant to adjournment, and was called to order by the Speaker.

The following message was received from the Senate:

SENATE CHAMBER, }  
Lansing, April 2, 1849. }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return herewith the following entitled

bill, and to respectfully inform you that the Senate have concurred therein, viz:

A bill amendatory to the charter of the Detroit, Romeo and Port Huron railroad company.

Respectfully, &c.

W. L. BANCROFT,

*Secretary of the Senate.*

The bill amendatory to the charter of the Detroit, Romeo and Port Huron railroad company was ordered to be enrolled.

Mr. Parkhurst, from the committee on engrossment and enrollment, reported that the following entitled bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A bill making appropriations for salaries of the state officers for the year 1849;

A bill for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

A bill relative to elections;

A bill to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes;

A bill amendatory to the charter of the Detroit, Romeo and Port Huron railroad company;

A bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847;

A bill making appropriations to defray certain expenses authorized for the year 1849; and

A bill to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants now settling in the counties of Ottawa and Allegan.

Mr. H. H. Comstock being in the chair,

Mr. Coe offered the following resolution which was unanimously adopted, viz:

*Resolved*, That the thanks of this House be and they are hereby tendered to the Speaker, for the able, dignified and impartial manner in which he has discharged the duties of his office.

Mr. Buck offered the following resolution, which was unanimously adopted:

*Resolved*, That the thanks of this House are due to A. W. Hovey, Esqr., for the prompt, efficient and correct manner in which he has discharged the duties of Clerk of the House, during the present session.

The following communication was received from the Executive:

EXECUTIVE OFFICE, }  
Lansing, April 2, 1849. }

*To the House of Representatives:*

I have this day approved, signed and deposited in the office of the Secretary of State,

An act appropriating certain non-resident highway taxes for the improvement of the road running from the village of Howell, in the county of Livingston, through the townships of Hartland, Highland and White Lake, to the village of Pontiac, in the county of Oakland;

An act to authorize Adrian union school district number one, to borrow money for the purposes therein mentioned;

An act to vacate the plat of the village of Sharon, in the county of Washtenaw;

An act to authorize the wardens and vestry of Trinity church, in Marshall, to convey certain real estate;

An act to amend an act to organize certain townships, approved March 15, 1849;

An act to incorporate the Pittsburg and Isle Royal mining company of Pittsburg;

An act to lay out a certain state road;

An act to provide for the sale of certain state tax lands and lands withheld for taxes, and for other purposes;

An act to incorporate the village of St. Mary;

An act to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes;

An act to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847;

An act amendatory to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto;

An act relative to elections;

An act making appropriations to defray certain expenses authorized for the year eighteen hundred and forty-nine;

An act making appropriations for salaries of the state officers for the year eighteen hundred and forty-nine;

An act for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing, in the county of Ingham;

An act to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants now settling in the counties of Ottawa and Allegan; and

An act to prevent the transportation of pickled fish without inspection.

EPAPHRO. RANSOM.

Mr. Deming moved the appointment of a committee to wait on the Senate and inform them that the House have no further business before them, and are now ready to adjourn.

The chair appointed Messrs. Deming and Coe as such committee, who, after a short absence, returned and reported that they had discharged the duty assigned them.

A committee from the Senate was announced, consisting of Senators Isbell and Thomson, who informed the House that the Senate had transacted all their business, and were now ready to adjourn.

Mr. Fox moved the appointment of a committee of two, to act with a like committee on the part of the Senate, to wait on the Governor and inform him that the two Houses have no further business before them, and if he has no further communication to make, are now ready to adjourn.

Messrs. Fox and Chittenden were appointed as such committee, who, after a short absence, returned and reported that they had discharged the duty assigned them, and had received for answer, that the Executive had no further communications to make.

The Speaker then took the chair, and addressed the House as follows:

*Gentlemen of the House:*

The hour having arrived which is to close our labors in this Hall, it is fitting that I should render to you my acknowledgment for the token of kindness and respect which you have just placed upon record. If, in the discharge of my duties as the presiding officer of this body, I have acquitted myself to your satisfaction, the most ardent wish of my heart has been gratified. Our session has been a long

one—much longer than we could have anticipated when we first assembled; yet when we look upon the mass of business which has been before us for our action, we can justly say that this has been a busy—very busy—session. We are now about to return to our families, and to our constituents, and in all probability we shall all never again meet this side the grave. That the kindly feelings engendered, and the friendships formed, during our official intercourse may be as lasting as they are gratifying, is the heartfelt prayer of him who now addresses you. With this expression of gratitude, gentlemen, I bid you all farewell.

On motion of Mr. Chamberlain,  
The House adjourned *sine die*.





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- Of Thomas Bates and others, of the counties of Lenawee and Hillsdale, for the organization of a new county from parts of said counties, 337.
- Of Stephen L. Loring, of Ottawa county, asking that authority be given to the county court of said county to grant divorces, 337.
- Of Joshua Moore, relative to a certain claim, 337.
- Of the board of trustees of the Olivet Institute, asking that authority be given to a certain minor to convey to them certain real estate, 338.
- Of J. Beeson and others, of Berrien county, for the incorporation of the Niles hydraulic and manufacturing company, 348.
- Of Lieut. R. M. Collins, asking compensation for services in raising the volunteer regiment called from this state to serve in the late war with Mexico, 348.
- Of H. Goodrich and others, for the organization of a new county from portions of the counties of Lenawee and Hillsdale, 348.
- Of M. H. Webb and others, for a state road on the county line between the counties of Lenawee and Hillsdale, from the Ohio state line north to the village of Hudson, 349.
- Of Calvin Sweet and others, of Shiawassee county, relative to a certain state road, 356.
- Of the same, for vacation of the county site of Shiawassee county, 357.
- Of Walter Laing, for the location of the county site of Shiawassee county on section twenty-four, in the township of Bennington, 357.
- Of the mayor, recorder and aldermen of the city of Monroe, against

- the repeal of section sixteen of an act to amend the revised statutes, 357.
- Of Shadrach Ford and others, of Berrien county, for the passage of a law making it obligatory on the supervisors of said county to build certain bridges, 357.
- Of Charles T. Allen and others, for the passage of an act authorizing the holding of the courts of Ingham county, alternately at Mason and Lansing, 357.
- Of D. G. McClure and others, of Lansing, for an appropriation of money to buy a bell for the capitol, 357.
- Of George Sliker, for the passage of a law authorizing certain minors to convey real estate, 357.
- Of W. R. Mulford and others, for a modification of the license laws, 357.
- Of Henry F. Bowen and others, of Van Buren county, for the organization of a new township, 357.
- Of W. J. Wells and others, of Grand Rapids, for the vacation of a part of the plat of said village, 357.
- Of David A. Noble and others, for the incorporation of a company to construct a plank road from Monroe city to Belleville, 369.
- Of John Woolman and others, of Cass and Berrien counties, for an alteration in the line of a state road leading from St. Joseph to La Grange, 369.
- Of B. F. Bush and others, for the vacation of the present county site of Shiawassee county, 369.
- Of James A. Weeks and others, for the passage of a law prohibiting the sale of intoxicating liquors, 369.
- Of John Pintler and others, of the counties of Newago and Kent, for the appropriation of certain highway taxes on a certain road, 369.
- Of citizens of Ottawa county, for the organization of a new township, 369.
- Of Louis M. Moran and others, against attaching sections three and ten in the township of Hamtramck, to the township of Grosse Point, 370.
- Of Henry Hall and others, for the incorporation of a company to construct a plank road from Grand Rapids to Lyons, *via* Plainfield and Otisco, 370.
- Of Samuel W. Dexter and others, for an amendment of the charter of the Dexter and Michigan plank road company, 381.
- Of E. A. Peck and others, relative to a certain road, 381.
- Of Joseph Loranger, Jr., of Monroe, for the passage of a law authorizing the conveyance of certain real estate belonging to his minor children, 381.
- Of James Aldrich and Mary Gephart, of Berrien county, for the passage of an act authorizing them to purchase certain university lands in said county, 381.
- Of Abner E. Campbell and others, of the counties of Calhoun and Branch, for the incorporation of a company to construct a plank road from Battle Creek to some point on the St. Joseph river *via* Dry Prairie, 381.

- Of A. and E. S. Higgins, of New York, asking that certain warrants may be reissued, 391.
- Of Simon Heath and others, against attaching a part of the township of Keene to the township of Boston, in Ionia county, 391.
- Of citizens and county officers of Shiawassee county, against the vacation or removal of the county site of said county, 392.
- Of the special commissioner appointed under a certain appropriation act, and of the contractor under said act, in relation thereto, 392.
- Of citizens of Shiawassee county, in relation to a certain road, 392.
- Of R. Kibbee and others, for the incorporation of a company to construct a plank road in Lenawee county, 392.
- Of Davis Smith and others, for the incorporation of a company to construct a plank road from Medina to Morenci, 392.
- Of Joseph Chedsey and others, asking that the law abolishing capital punishment may remain on the statute book, as a monument of humane and enlightened legislation, 398.
- Of James P. Wheeler and others, for the appropriation of certain non-resident taxes on the Pontiac and Grand river road, 398.
- Of Mr. Mead and others, for the continuance of a state road leading from Okemos to Ingham, through to the village of Dexter, 406.
- Of voters of Berrien county, against the removal of the county seat of said county, and resolutions of the board of supervisors of said county relative to the same subject, 406.
- Of Johnson Niles, claim for payment for going after Mr. Hatch, 406.
- Of P. Brower and others, of St. Joseph county, for the incorporation of the St. Joseph river navigation company, 407.
- Of James Dunham and others, for the extension of the law of 1843, relative to university lands, 407.
- Of Lozina Willson, asking the passage of a law to authorize her to sell and convey certain real estate, 425.
- Of Thomas Whelpley, relative to a division of the townships of Ash and Frenchtown, 425.
- Of Thomas Smith and others, of Shiawassee county, for the vacation of the county site of said county, 425.
- Of Joseph Grey and others, relative to certain university lands, 425.
- Of Charles G. Hammond, asking a reference of all matters of difference between him and the state to a jury, or to the board of state auditors, or to some other equitable tribunal, created by the Legislature, 437.
- Of W. L. Larned and others, for authority to raise a special tax to make a road on the county line between Lenawee and Hillsdale, 437.
- Of Levi Treadwell and others, for the formation of a new county from parts of Lenawee and Hillsdale counties, 437.
- Of Abner Baker and others, of the county of Calhoun, for an amendment of the license law, 437.
- Of Henry M. Fish and others, for the incorporation of the village of Leslie, 437.
- Of twenty citizens of Shiawassee county, against the vacation or removal of the county seat of said county, 449.
- Of J. D. Stevens and others, for the vacation of the plat of the village of the Lake, in the county of Washtenaw, 458.

- Of Samuel Mahon, a claim, 477.
- Of Willard Smith and others, of Lenawee county, against the formation of a new county from parts of Hillsdale and Lenawee, 477.
- Of M. A. Dougherty and others, for the enactment of a general prohibitory law, relative to the sale of ardent spirits as a beverage, 477.
- Of John Monahan and others, of the township of Green Oak, Livingston county, against the passage of any law authorizing John McNamee, minor, to convey real estate, 491.
- Of citizens of Berrien county, for the removal of the county seat from Berrien Springs to Niles, in said county, 491.
- Of D. C. Jackson and others, of Lenawee county, against the formation of a new county out of parts of Hillsdale and Lenawee, 491.
- Of L. M. Mason and others, of St. Clair county, for a repeal of the present county court system, 492.
- Of W. W. Clark, for the allowance of a certain claim, 492.
- Of W. W. McLowell and others, of Lenawee county, against a division of said county, 503.
- Of Perley Bills and others, of Lenawee county, against any division of said county, 503.
- Of L. Moffatt, Jr. and others, for a law authorizing townships to fix the price to be paid per day to township officers, 503.
- Of a citizen of Berrien county, a claim for services rendered the people of this state, 503.
- Of John Coatsworth and others, of Ingham county, against the passage of any law removing any of the terms of the courts of said county from the present county site to Lansing, 513.
- Of Mr. Densmore and others, of the township of Portland, Ionia county, for an appropriation to aid in constructing a bridge across Grand river, at the village of Portland, 514.
- Of citizens of Shiawassee county, for the vacation of the county seat of said county, 524.
- Of Henry Simmons and others, of Oakland county, for a reduction in the price of university lands, 528.
- Of Alexander Blake and others, for a modification of the license law, 528.
- Of O. P. Davison and others, for the appropriation of certain non-resident highway taxes on the road from Howell, in the county of Livingston, to Pontiac, in the county of Oakland, 534.
- Of John Landon and others of Lenawee county, against the formation of a new county from parts of Lenawee and Hillsdale, 534.
- Of inhabitants of the counties of Kent and Allegan, for the establishment of a state road from Grand Rapids to Otsego, 534.
- Of Silas Beebe and others, of the county of Ingham, against the passage of any law by which a change may be made in the places of holding the courts of said county, 534.
- Of Sloan Cooley and others, for the dissolution of a certain school district, in Oakland county, 534.
- Of Grange Whitlock and others, of Bingham and Greenbush, pray-



- ing that certain territory may be attached to the township of Greenbush, 534.
- Of J. L. Armstrong and others, asking the appointment of commissioners to assess certain damages on lands flowed in the township of Milford, in Oakland county, 534.
- Of Alfred Williams and others, against the alteration of the corporate limits of the village of Pontiac, 549.
- Of H. D. Garrison, C. T. Gorham and others, of Calhoun county, for the restoration of the law providing for capital punishment, 581.
- Of A. J. Clark, Jacob Beeson and others, for the passage of the bill to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company, 581.
- Of F. F. Parker, J. James and others, of Detroit, for the passage of the bill now before the legislature, as a supplementary act to the charter of the Detroit, Romeo and Port Huron railroad company, 586.
- Of Phineas Homan and others, of Detroit, for the same, 586.
- Of Backus & Bissell and others, for the same, 586.
- Of James Wright and others, for the same, 599.
- Of F. King and others, of Genesee county, on the subject of intemperance, 599.
- Of Robert E. Craven and others, for the appropriation of certain non-resident highway taxes for the improvement of the Maple river, as a public highway, 615.
- Of Nicholas Uhl and others, for an act incorporating the St. Joseph beneficial society of the state of Michigan, 656.

#### RESOLUTIONS OFFERED.

- Adopting the rules of the last House of Representatives, 4.
- Directing the secretary of state to furnish certain documents, 5, 48, 62.
- Fixing the hour of meeting, 5, 78, 103, 108, 150, 151, 152, 153, 166, 208, 227, 242, 254, 272, 316, 330, 342, 361, 362, 401, 456, 509, 664, 721.
- Ordering the appointment of a committee to wait on the governor, 5, 630.
- Ordering the printing of the governor's annual message, 6, 14.
- Regulating the number of printed copies of the journal, 6, 125, 157, 162, 173.
- Authorizing the appointment of messengers and firemen, 10.
- Requesting Rev. O. C. Comstock to open the daily sessions of the House with prayer, 10.
- Authorizing the speaker to draw a certificate in favor of David A. Rhodes, sergeant-at-arms *pro tempore*, 12.
- Directing the clerk to furnish certain newspapers, 12.
- Regulating the amount of stationery to be furnished, 15.

- Referring the various subjects treated of in the Governor's annual message to the appropriate committees, 19.
- Directing the reference and printing of all bills introduced, 23.
- Fixing the time for electing a United States Senator, 23, 32.
- Instructing the committee on the judiciary to inquire into the expediency of so amending the act exempting a homestead from forced sale in certain cases, that the exemption may include eighty acres, and also of abolishing all laws for the collection of debts under twenty dollars, 23.
- Instructing the committee on printing to make certain inquiries relative to the journals of the last session, 24.
- Authorizing the speaker to draw a certificate in favor of Joseph Keusch, for services as fireman, 24.
- Granting the use of the Representatives' Hall for religious worship, 25, 33, 50.
- Inviting Hon. Ira Mayhew to lecture on the subject of education, 25.
- Ordering the printing of extra copies of the report of the auditor general, 25.
- In relation to the death of Hon. Herman C. Noble, and making certain arrangements consequent thereupon, 27.
- Fixing the day on which to adjourn *sine die*, 34, 61, 125, 157, 161, 192, 241, 273, 317, 342, 473.
- Instructing the committee on internal improvement to give certain notices to the special commissioners appointed under the several acts making appropriations of internal improvement lands, 49.
- Instructing the committee on the judiciary to inquire into the expediency of a law allowing compensation to witnesses in behalf of the people in criminal cases, 60.
- Authorizing the committee on elections to send for persons and papers, 60.
- Directing the board of state auditors to allow the use of the Representatives Hall for religious worship, 62.
- Fixing a time after which no new business shall be received by the House, 62, 254, 344, 443.
- Requesting the committee on the judiciary to report a bill providing for the infliction of capital punishment for murder in the first degree, 62.
- Instructing the committee on the judiciary to inquire into the expediency of making the supplying of Indians with intoxicating drinks, a state prison offence, 62.
- Inviting Jonathan Lamb to lecture on the subject of education, 76.
- Authorizing the Speaker to appoint Henry Smith a messenger of the House, 76.
- Allowing the claimants to the contested seat from Lapeer county, to appear in person or by counsel, 77.
- Declaring James Turrill to have been the duly elected representative from Lapeer, 77, 80.
- Regulating the order of debate on the foregoing resolution, 78.
- Referring a portion of the governor's annual message to a select committee, 78.

- **Requesting the committee on the judiciary to report such amendments as they deem necessary for a proper revision of the county court law, 78.**
- Requesting the committee on supplies and expenditures to procure two screens, 78.**
- Ordering the appointment of a select committee to revise the rules, 84.**
- Instructing the committee on roads and bridges to inquire into the expediency of providing by law for the laying out of private roads, 84.**
- Instructing the committee on public lands to inquire into the expediency and propriety of removing the state land office from Marshall to Lansing, 86.**
- Referring all bills proposing amendments to the revised statutes, to the committee on the judiciary, with certain instructions, 97.**
- Inviting the superintendent of public instruction to lecture on the Michigan school system, 102.**
- Declaring it inexpedient to pass any act of incorporation granting banking powers, without first submitting the question to the people, 102.**
- Declaring it improper to loan the credit or funds of the state, directly or indirectly, to any corporate company, or in any manner to extend the time already given any such company to meet its indebtedness to the state, without first submitting the proposition to the people, 102.**
- Granting the use of the Representatives' Hall to Jonathan Lamb, to lecture on education, 102.**
- Ordering the printing of extra copies of the annual report of the adjutant general, 103.**
- Granting the use of the Representatives' Hall to Dr. B. S. Taylor, for the purpose of holding singing schools, 103.**
- Instructing the committee on state affairs, to inquire into the expediency of providing by law for the support by the state of all paupers who have not resided in the state over six months at the time of their application for relief, 108.**
- Declaring any further attempt to elect a United States Senator futile, &c., 110.**
- Declaring Lewis Cass duly elected United States Senator, 118.**
- Ordering the appointment of a committee to proceed to Kalamazoo, and there canvass the ballots given in that township at the last general election for the office of representative, 143.**
- Authorizing and requiring the committee on elections to send for certain persons residing in the county of Kalamazoo, 144.**
- Instructing the committees on supplies and expenditures to ascertain the amount of postage charged to the state by the deputy postmaster at Lansing for letters, papers and documents sent and received by members of the House at the present session, 157, 648.**
- Requesting the governor to transmit to the House a report of the disbursements made under an act to provide for defraying the ex-**

- penses of enlisting, transporting and subsisting the volunteer regiment called from this state to serve in the war with Mexico, 161.
- Authorizing the committee on supplies and expenditures to repair the tables, 161.
- Ordering the printing of extra copies of the report of the committee on ways and means, relative to a change in the tax laws, 173.
- Directing the auditor general to report as to the existence of a certain voucher upon which a warrant was drawn by C. G. Hammond in his own favor, 178.
- Directing the committee on engrossment and enrolment to make arrangements with Horace S. Roberts, for recording the journal of the House of last session, 186.
- Granting the use of the Hall of the House to the bible society of Lansing, 192.
- Requesting the attorney general to communicate the conditions and terms of the settlement of the Detroit and Pontiac railroad company with the state, 193.
- Declaring it to require in the opinion of the House, two-thirds of all the members elected to pass any act of incorporation, to alter or amend the same, 200, 211, 285.
- Declaring Marsh Giddings to be the rightful member from the county of Kalamazoo, 206.
- Granting Marshall Parker leave to withdraw his claim from the files of the House, 210.
- Requesting the attorney general to communicate his opinion as to whether the constitution of the state requires the vote of two-thirds of all the members elected to each House to pass an act of incorporation, 211.
- Authorizing the committee on state prison of the House and Senate to appoint a sub-committee, to visit the state prison at Jackson, and to report thereon, 219.
- Requiring the vote on the passage of all bills to be taken by yeas and nays, 226.
- Instructing the committee on ways and means to inquire into the expediency of repealing so much of the act for the purpose of paying the officers and members of the Legislature of 1849, as to allow the Speaker six dollars per day, 227.
- Ordering the election of a speaker *pro tempore*, 237.
- Requesting the auditor general to communicate to the House the amount of money paid by the agent of the state prison, for bringing convicts to the prison, 255.
- In relation to the death of Benj. F. Tisdale, one of the messengers, 261.
- Appointing Henry Smith a messenger, in place of B. F. Tisdale, 261.
- Making the report of the attorney general on the constitutional vote requisite for passing acts of incorporation, the special order, 373.
- Instructing the committee on the judiciary to report a bill requiring officers and members of the legislature to verify by affidavit the number of days they have been in attendance during each session, before they shall be entitled to their pay, 273.

- Declaring it to be the sense of the House that two-thirds of the members present, being a quorum for the transaction of business, have the constitutional right by their vote, to pass an act of incorporation, or to amend the same, 278, 284.
- Appointing Chas. Smith clerk *pro tempore*, 279.
- Authorizing Johnson Niles to proceed immediately to the county of Macomb, and forthwith bring Mr. Flower to the House, 289.
- Rescinding the vote granting indefinite leave of absence to Mr. Flower, and directing the speaker to draw his certificate for pay only for the number of days that he has been in attendance, 290, 299.
- Directing the sergeant-at-arms to be sent after Mr. Flower, 298, 307.
- Appointing Dr. Mott special sergeant-at-arms, to proceed after Mr. Flower, and bring him to the bar of the House, 299.
- Directing the reading of Washington's farewell address, and inviting the Senate to be present, 299.
- Ordering the printing of extra copies of the report of the select committee on the revision of the constitution, 300, 400, 487.
- Declaring that no member, absent without leave, should be entitled to pay, 315.
- Directing the committee on printing to make certain inquiries of the state printer, 317.
- Tendering the thanks of the House to Hon. Mr. Hawley, 318.
- Tendering the thanks of the House to the state officers and Senate, 318.
- Appointing Rev. J. Lamb, sergeant-at-arms *pro tempore*, 324.
- Directing the sergeant-at-arms *pro tempore* to be sent for Mr. Hatch, 324, 351.
- Directing the printing of extra copies of the report of the committee on banks and incorporations, on the Southern railroad bill, with certain alterations, 332.
- Directing the sergeant-at-arms to take charge of the Hall of the House, 342.
- Ordering the printing of extra copies of the Senate report on the revision of the constitution, 342.
- Directing the printing of the history of the late war between the hunkers and barnburners, 342.
- Requiring the auditor general to furnish a statement of the public debt, and the times when it shall fall due, 361.
- Declaring that Mr. Flower had shown sufficient cause for his absence, 365.
- Requiring the committee on printing to make certain inquiries relative to the manual, 387.
- Directing Jonathan Lamb to bring Johnson Niles back to the House, 388.
- Declaring it to be important to the people to understand the principles which will govern the incoming national administration, and inviting the acting chairman of the committee on the judiciary, to read the platform adopted by the Philadelphia convention, 401.
- Dispensing with the reading of the journal by the clerk, 401.

- Directing the Speaker to withhold the *per diem* of members under certain circumstances, 402.
- Authorizing the employment of an assistant engrossing clerk, 410, 420, 421.
- Directing that all bills reported against by standing committees shall not be considered, unless by the consent of two-thirds of the members present, 418.
- Appointing Johnson Niles sergeant-at-arms *pro tempore*, and directing to bring Mr. Ferguson to the bar of the House, 429.
- Refusing to receive any more petitions after a certain time, 430.
- Instructing the committee on the judiciary to report a bill so amending chapter ninety-three of the revised statutes, as to permit judgments to be stayed by signing a memorandum on the docket, 466.
- Declaring a certain protest to contain statements which reflect on the character of the House, and which are not true, 473.
- Limiting the time of speaking, 482, 496, 665.
- Instructing the committee on state affairs to report back House bill number fifty-one, as printed, without amendment, and also to report back the substitute for the several amendments thereto, as an independent bill, 483.
- Directing the state treasurer to inform the House, the exact amount of funds now on hand, so that the legislature may fix on a day certain for an adjournment, 483.
- Resolutions in relation to the action of the House on the joint resolution instructing the attorney general to recover of Charles G. Hammond, late auditor general, a certain sum of money illegally taken from the treasury, 495, 506.
- Requesting the members of the third House to do all their business with the members of this House, outside of the bar, 539.
- Requesting the Speaker of the House be requested to re-appoint the member from Chippewa, to the position on standing committees previously occupied by him, 525.
- Suspending the action of the resolution limiting the time of speaking, 539.
- Instructing the committee on ways and means to inquire into the expediency to cancel the evidences of indebtedness given to the state by the Michigan Southern railroad company, in payment for the Southern railroad, 541.
- Rescinding the resolution requiring all committees to report upon all matters referred to them, on or before the twentieth instant, 563.
- Ordering the appointment of a select committee to inquire into the expediency of so much of the act for the payment of the officers and members of the legislature as allows the Speaker six dollars per day, 607, 626.
- Ordering the appointment of a select committee to wait on the Senate, and request that body to transmit another copy of a certain bill, 625.
- Fixing the time for meeting in joint convention to act on a certain nomination, 625.

- Ordering the sergeant-at-arms to bring Mr. Hatch to the bar of the House, 643.
- Discharging the committee on claims from the consideration of a certain joint resolution, 664.
- Suspending the action of the twenty second rule, 665.
- Directing the clerk of the House to forward a certain communication to Mr. Gillett, 685.
- Directing the Speaker not to draw a certificate in favor of Mr. Gillett, after a certain date, 686.
- Directing the sergeant-at-arms to take Mr. Lockwood into custody, 687.
- Ordering a certain resolution not to be entered on the journal, 721.
- Tendering thanks to the Speaker, 722.
- Tendering thanks to the Clerk, 723.

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#### REPORTS OF STANDING COMMITTEES.

##### *Of Committee on Agriculture and Manufactures.*

- On bill to repeal an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, 232.
- On bill for the encouragement of agriculture, manufactures and the mechanic arts, 408.
- On preamble and joint resolution relative to Moore and Hascall's harvesting machine, 428.
- Bill for the relief of purchasers of certain lands in the township of Plainfield, 449.

##### *Of Committee on Banks and Incorporations.*

- On petition of B. B. Kercheval and others, for the incorporation of the Peninsular bank, 59.
  - Bill to incorporate the New Buffalo and Laporte plank road company, 83.
  - On bill to amend an act entitled an act to incorporate the Monroe and Saline plank road company, 83.
  - On bill to incorporate the Pittsburg and Isle Royal mining company of Pittsburg, 83.
  - On bill to incorporate the Native copper company, 83.
  - Bill to incorporate the Phoenix copper company, 93.
  - On bill to incorporate the president, directors and company of the Peninsular bank, 141, 270.
  - On bill to amend and consolidate the act to incorporate the stockholders of the Michigan insurance company of Detroit, approved March 7, 1834, and the several acts amendatory thereto, 142, 270.
  - Bill to continue for a limited time the charter of the Farmers' and Mechanics' bank of Michigan, 148, 224.
  - On bill to incorporate the Tecumseh literary institute, 184.
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- On bill to amend an act entitled an act to incorporate the Monroe and Erie plank road company, 184.
- On bill to vacate a portion of the plat of the village of Grand Rapids, in the county of Kent, 191.
- On bill to amend the charter of the city of Detroit, 191, 250.
- On bill to incorporate the Frederick and Utica plank road company, 191.
- Bill to amend the charter of the village of Adrian, and to limit the amount of taxes to be raised in said village, in any one year, 191.
- On bill to incorporate the Temple building company of Battle Creek, 199.
- On bill to incorporate the Minesota mining company, 199.
- On bill to incorporate the Isle Royal mining company, 199.
- On bill to incorporate the Northwest mining company of Michigan, 199.
- On bill to incorporate the Ohio Trap Rock mining company, 205.
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- Bill to enlarge the corporate limits of the city of Detroit, 216.
- On bill to amend an act entitled an act to incorporate the New Baltimore and Romeo plank road company, approved April 3, 1848, 217.
- On bill to amend an act entitled an act to incorporate the Mt. Clemens and Romeo plank road company, approved April 3, 1848, 217.
- On bill to amend an act entitled an act to incorporate the Detroit and Saline plank road company, 232.
- On bill to amend an act entitled an act to incorporate the Flint and Saginaw navigation company, 232.
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- Joint resolution rescinding a joint resolution to encourage immigration, approved February 1, 1849, 232.
- On bill to incorporate the Detroit savings' fund institute, 250, 381.
- On bill to incorporate the trustees of Elmwood cemetery, 250.
- On bill to incorporate the Northville hydraulic company, 250.
- On bill to incorporate the grand lodge of free and accepted masons of the state of Michigan, 279.
- Bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847, 282.
- On bill to amend an act entitled an act to authorize the sale of the Southern railroad, and to incorporate the Michigan southern railroad company, 302.
- On bill to incorporate the Battle Creek and Dry Prairie plank road company, 312.
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- On bill to incorporate the city of Detroit gas company, 312.
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- act to incorporate the village of Marshall, and for other purposes, 320.
- Bill** to incorporate the Niles and Mottville plank road company, 328.
- On** bill to authorize the Detroit young men's society to contract a certain loan, 328.
- On** bill relative to the Corunna and Saginaw plank road company, 328.
- On** bill relative to the Owasso and Bad river plank road company, 328.
- On** bill relative to the Genesee county plank road company, 328.
- On** bill relative to the Flint and Fentonville plank road company, 328.
- On** bill relative to the Kalamazoo and Black Lake plank road company, 328.
- On** bill to incorporate the Lapeer and Port Huron plank road company, 329.
- On** bill to amend an act entitled an act to incorporate the Kalamazoo and Three Rivers plank road company, 339.
- On** bill to incorporate the Monroe and Newport plank company, 339.
- On** bill to incorporate the Lansing coal company, 339.
- Bill** to incorporate the Decatur, Lawrence and Breedsville plank road company, 350.
- Bill** to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road and for other purposes, 350.
- On** bill to incorporate the St. Joseph valley railroad company, 357.
- On** bill amending an act relative to plank roads, approved March 13, 1848, 372.
- Bill** to incorporate the Monroe and Belleville plank road company, 372.
- On** bill to incorporate the Detroit fire and marine insurance company, 381.
- On** bill to incorporate the North American health insurance company, 392.
- Bill** to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848, 408.
- On** bill to incorporate the Jackson and Mason plank road company, 426.
- On** bill to incorporate the Battle Creek and Hastings plank road company, 427.
- On** bill to incorporate the trustees of the Mountain Home cemetery, 427.
- On** bill to incorporate the Saginaw bay gypsum company, 527.
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- Bill** for the improvement of the road leading from Pontiac, in the county of Oakland, to Lapeer, in the county of Lapeer, 218, 243, 405, 413, 415, 422, 430.
- Bill** for the improvement of the road leading from Hillman's in the township of Tyrone, and county of Livingston, to Pontiac in the county of Oakland, 218, 243, 433, 434, 704, 708.
- Bill** to amend the revised statutes in relation to printing the annual reports of the state officers, 218, 245, 405, 414, 416, 421.
- Bill** to define and amend the eighth subdivision of section twenty-seven, of chapter one hundred and six of the revised statutes of 1846, 218, 232, 379, 380, 382, 389, 672, 689, 697.
- Bill** appropriating certain internal improvement lands, for the purpose of constructing certain roads and bridges in the county of Berrien, 219, 260, 447, 448.
- Bill** to amend section thirteen of chapter sixty-six of the revised statutes, 222, 356, 363, 370, 378, 400, 408, 417.
- Bill** to improve the Grand river state road, 223, 356, 364, 370, 378, 386.
- Bill** to provide for laying out a state road from Ceresco mills, in the township of Marshall, in the county of Calhoun, to Bellevue, in Eaton county, 223, 347, 354, 359, 362, 395, 415, 428.
- Bill** to repeal an act entitled an act to provide for the draining of swamps, marshes, and other low lands, approved March 17, 1847, 224, 433, 434.
- Bill** to amend an act entitled an act to incorporate the Detroit and Saline plank road company, 225, 226, 232, 347, 352, 496, 499, 622.
- Bill** to authorize the erection of a dam across Flat river, 225, 226, 232, 348, 354, 362, 384.
- Bill** to authorize the supervisor of the township of Bridgeport, in the county of Saginaw, to renew the warrant for the collection of taxes in said township, 228, 229, 246.
- Bill** to repeal an act entitled an act to prevent the circulation of foreign notes, 232, 347, 352, 358, 362.
- Bill** appropriating certain highway taxes for the improvement of a certain road in the counties of Barry and Eaton, 239, 405, 408, 410, 588, 590, 602, 619.
- Bill** to extend the time for the collection of taxes in the township of Burns, in the county of Shiawassee, 241.
- Bill** to exempt certain personal estate from taxation, 241.

- Bill** to amend the revised statutes of 1846, relative to university lands, 241, 244, 356, 364, 370, 378, 573.
- Bill** to require the supervisors of Berrien county to construct and maintain certain bridges in said county, 243, 356, 364, 375, 382, 390, 406, 418, 450, 462.
- Bill** to amend chapter one hundred and twenty-three of the revised statutes of 1846, 244, 379, 380, 382, 389, 480, 481, 492, 611, 612, 633, 646.
- Bill** to amend section four of chapter eighty-eight of the revised statutes of 1846, 244, 356, 364, 371, 382, 389, 418, 438, 450.
- Bill** to amend chapter ninety-three of the revised statutes of 1846, in relation to appeals, 244, 270, 379, 380, 382, 389, 409, 429, 455, 480, 518, 519, 523, 529.
- Bill** to incorporate the grand lodge of free and accepted masons of the state of Michigan, 245, 246, 279, 434, 435, 497, 500, 501, 626, 646, 647.
- Bill** to incorporate the Northville hydraulic company, 245, 246, 250, 379, 390.
- Bill** to incorporate the Detroit savings' fund institute, 246, 250, 379, 390, 381, 390, 400.
- Bill** to incorporate the trustees of Elmwood cemetery, 246, 250, 379, 390.
- Bill** to enlarge the powers and increase the number of officers in school district number four in the township of Ypsilanti, 246, 247, 268, 433, 435, 446.
- Bill** authorizing Abram Smith and John W. Russell to erect a dam across Grand River in the county of Eaton, 246, 247, 250, 379, 389.
- Bill** to repeal section sixteen of an act to amend the revised statutes of 1846, approved April 3, 1848, 247, 250, 405, 406, 408, 410, 463, 486, 672, 673, 689, 697.
- Bill** to vacate the plat of the village of Sharon, in the county of Washtenaw, 250, 433, 434, 438, 445, 698, 711, 723.
- Bill** to authorize the commissioners of highways of the township of Pulaski, in the county of Jackson, to discontinue and alter a state road in said township, 251, 433, 434, 438, 445, 621, 623, 637, 645.
- Bill** to amend chapter one hundred and seventy-two of the revised statutes of 1846, 253, 269, 433, 434, 438, 445, 589.
- Bill** to incorporate the Lansing coal company, 255, 339, 530, 535, 547, 573, 576, 603, 637, 645.
- Bill** to amend section eighteen of chapter one hundred twenty-three of the revised statutes of 1846, 259, 433, 434, 438, 446.
- Bill** to amend section nineteen of chapter one hundred and fifty of the revised statutes of 1846, 259, 447, 476, 477, 488.
- Bill** to define the jurisdiction of county courts, and for other purposes, 259, 401, 433, 458, 577, 583, 596, 607.
- Bill** for the improvement of the county line road from Gidley's station, in the county of Jackson, to Lansing in the county of Ing-

- ham, 260, 389, 447, 476, 478, 488, 492, 611, 675, 715, 717, 722, 724.
- Bill to organize certain townships and for other purposes, 260, 402, 43, 427, 442, 446, 454, 455, 488, 493, 518, 519, 520, 531, 536.
- Bill to incorporate the Tecumseh and Dundee plank road company, 262, 312, 489, 493, 499, 552, 553, 571, 581.
- Bill to lay out, alter and establish a public highway, on section one, township two north of range eleven east, in Troy, Oakland county, 264, 265, 657, 691, 701, 718.
- Bill for the improvement of the road leading from Grand Blanc to the Thread Mills, in the county of Genesee, 265, 320, 330, 340, 345, 360.
- Bill to amend section thirty-four of chapter one hundred and thirty-four of the revised statutes of 1846, 265, 266, 279, 405, 414, 421.
- Bill for the improvement of Flat river, in the counties of Montcalm, Ionia and Kent, 265, 321, 331, 350.
- Bill for the improvement of the road leading from the township of Marathon, in the county of Lapeer, to Oxford, in the county of Oakland, 265, 320.
- Bill to incorporate the city of Detroit gas company, 265, 312, 447, 464, 466, 475, 518.
- Bill to authorize Jacob Barnes, guardian of Cornelius Barnes, to sell certain real estate, 265, 266, 280, 405, 414, 421.
- Bill to authorize certain Indians to convey lands in the county of Allegan, 269, 447, 476, 478, 488, 536, 537, 564, 572.
- Bill to vacate a portion of the village of Berrien, in the county of Berrien, 269, 447, 476, 478, 488, 536, 537, 545, 552.
- Bill to regulate costs in certain cases, 269, 433, 434, 438, 446.
- Bill to alter the boundary line dividing the counties of St. Clair and Sanilac, 270, 434, 435.
- Bill to alter the town line dividing the townships of St. Clair and China, in the county of St. Clair, 270, 447, 476, 478, 488, 519, 520, 531, 536.
- Bill for the relief of school district number eight, in the township of Ransom, in the county of Hillsdale, 279, 447, 876, 478, 488, 563, 587, 602.
- Bill to amend an act entitled an act to incorporate the Kalamazoo and Three Rivers plank road company, 281, 339, 489, 490, 499.
- Bill to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847, 282, 489, 493, 498, 537.
- Bill to incorporate the Battle Creek and Dry Prairie plank road company, 284, 312, 389, 493, 499, 552, 553, 564, 572.
- Bill to amend chapter fifty-eight of the revised statutes of 1846, 285, 296, 447, 476, 478, 488.
- Bill for the perfection of records of public highways, and for other purposes, 295, 447, 448, 450, 475, 621, 624, 637, 645.

- Bill** appropriating certain highway taxes for the improvement of a road from the village of Paw Paw to Breedsville, in the county of Van Buren, 296, 489, 490, 493, 498, 620, 622, 647, 659.
- Bill** requiring the commissioner of the state land office to make an annual report to the regents of the university of Michigan, 296, 345, 346, 374, 392, 399.
- Bill** authorizing the commissioner of the state land office to sell certain lots in the town of Lansing, 297, 298, 320, 447, 476, 488.
- Bill** to attach certain portions of the township of Hamtramck to the township of Grosse Point, 298, 306, 341, 348, 384, 385, 392, 399.
- Bill** relative to elections, 298, 305, 489, 490, 493, 478, 715, 722, 723.
- Bill** to change the name of Augustus Kendricks, 316, 489, 490, 493, 498, 536, 537, 545, 552.
- Bill** to improve the navigation of the St. Joseph river, and to incorporate the Niles hydraulic and manufacturing company, 306, 542, 549, 556, 570, 661, 662, 667, 670, 674, 675.
- Bill** to provide for the payment of officers attending on the courts of chancery, 308, 312, 469, 490, 498, 536, 537, 545, 552.
- Bill** to incorporate the St. Joseph valley railroad company, 308, 358, 512, 527, 528, 529.
- Bill** to vacate a certain alley in the village of Albion, in the county Calhoun, 312, 502, 511, 514, 526, 620, 622, 637, 645.
- Bill** for the improvement of the state road leading from Charlotte, in Eaton county, to Albion, in Calhoun county, 314, 321, 447, 448, 456, 475, 578.
- Bill** relative to state printing, 315, 324, 450, 458, 462, 467, 480.
- Bill** for the encouragement of agriculture, manufactures, and the mechanic arts, 322, 408, 496, 498.
- Bill** to exempt certain property from taxation, 322, 323, 339, 489, 491, 498.
- Bill** to vacate a certain part of the village plat of the village of Tekonsha, in the county of Calhoun, 322, 323, 327, 548, 566, 638, 639.
- Bill** relative to the Kalamazoo and Black Lake plank road company, 322, 323, 328, 489, 490, 499.
- Bill** to transfer the trusteeship of certain lands therein named, 322, 323, 327, 717.
- Bill** relative to the Genesee county plank road company, 322, 328, 489, 490, 499.
- Bill** relative to the Owasso and Bad river plank road company, 322, 323, 328, 489, 490, 499.
- Bill** relative to the Corunna and Saginaw plank road company, 322, 323, 328, 489, 490, 499.
- Bill** relative to the Flint and Fentonville plank road company, 322, 323, 328, 489, 490, 499.
- Bill** providing for the improvement of the state road leading from the village of Flint, in the county of Genesee, via the Miller settlement, to Shiawassee town, 322, 323, 416, 690.

- Bill to authorize the Detroit Young Men's society to contract a certain loan, 322, 323, 328, 489, 490, 497.
- Bill to incorporate the Lapeer and Port Huron plank road company, 322, 323, 329, 489, 490, 499.
- Bill to provide for laying out and establishing a certain state road in the counties of Allegan and Kent, and making appropriation therefor, 323, 349, 570, 583, 594, 609, 646, 647, 657, 659.
- Bill appropriating certain non-resident highway taxes on the north road between the villages of Milford and Pontiac, in Oakland county, 324, 340, 512, 514, 526, 638, 639, 655, 659.
- Bill to incorporate the Niles and Mottville plank road company, 328, 502, 511, 515, 527, 552, 553, 572, 581.
- Bill to amend sections thirty-one and fifty-two, chapter twenty of the revised statutes of 1846, 329, 339, 489, 491, 501, 545, 547.
- Bill to amend chapter one hundred and six, title twenty-two of the revised statutes, 329, 338, 489, 490, 497.
- Bill to incorporate the Pontiac and Waterford plank road company, 330, 587, 549, 582.
- Bill to incorporate the Monroe and Newport plank road company, 339, 502, 511, 515, 527, 552, 553, 564, 572.
- Bill relative to certain taxes in the township of Norton, in the county of Ottawa, 339, 346, 374, 392, 399.
- Bill to authorize the minor heirs of William Mochmoer to convey certain real estate, 340, 383, 511, 513, 526.
- Bill to legalize the plats of the villages of Orion and New Canandaigua city, in the township of Orion, in the county of Oakland, 342, 393, 403, 603, 604, 619, 645.
- Bill to authorize the highway commissioners of the townships of Eaton and Benton, in Eaton county, to alter a certain state road in said county, 349, 502, 511, 515, 526, 620, 622, 637, 645.
- Bill to incorporate the Decatur, Lawrence and Breedsville plank road company, 350, 519, 513, 514, 527, 552, 553, 572, 581.
- Bill to authorize the Cottonwood swamp turnpike company to lay out and construct a certain plank road, and for other purposes, 350, 502, 511, 514, 526, 671, 673, 689.
- Bill amending an act relative to plank roads, approved March 13, 1848, 350, 351, 372, 511, 513, 526.
- Bill to appropriate four hundred acres of internal improvement land to aid in constructing a bridge across the Thornapple river, in the township of Caledonia, in Kent county, 350, 499.
- Bill to provide for the support of the system of international exchanges, 359, 371, 513, 526.
- Bill for the relief of Indians, 361, 371, 530.
- Bill authorizing the holding of the courts in the county of Ingham alternately at Mason and Lansing, 361, 394, 611, 612.
- Bill to establish a state road in the county of Ottawa, 370, 512, 514, 526, 623, 622, 689, 697.
- Bill to authorize the auditor general to purchase a bell for the capitol, 370, 512.

- Bill** to incorporate the Monroe and Belleville plank road company, 372, 512, 514, 527, 573, 576, 589, 592, 619, 638.
- Bill** to authorize the supervisors of the county of Kent to construct a free bridge across Grand river, at or near the mouth of Flat river, in the township of Lowell, 373, 374, 393, 512, 513, 526.
- Bill** to enlarge the powers and increase the number of officers in school districts, in certain cases, 374, 394, 502, 511, 515, 526, 671, 672, 689, 697.
- Bill** to incorporate the Detroit fire and marine insurance company, 377, 381, 430.
- Bill** to incorporate the North American health insurance company, 377, 392, 548, 551, 556, 621, 624, 655, 681.
- Bill** to amend an act entitled an act appropriating certain internal improvement lands for the purpose of improving a state road leading from the village of St. Joseph, in Berrien county, to the village of Lagrange, in the county of Cass, 382, 444, 446, 620, 622, 637, 645.
- Bill** to incorporate the trustees of the Mountain Home cemetery, 384, 427, 554, 585, 609.
- Bill** to incorporate the Saginaw bay gypsum company, 384, 427, 584, 586, 610.
- Bill** for the improvement of the state road leading from the village of Portland, in Ionia county, to the Grand river road, in the county of Clinton, 386, 588, 590, 637, 645.
- Bill** to authorize the supervisors of the county of Ionia, to build a free bridge across Grand river, at Saranac, in the township of Boston, and for other purposes, 387, 393, 548, 557, 564, 565, 718.
- Bill** to amend an act entitled an act for the improvement of the Bellevue and Waterloo state road, in the county of Eaton, approved March 27, 1848, 387, 393, 530, 534, 546, 550, 582, 582, 602, 603, 610, 620.
- Bill** to authorize the auditor general to procure certain maps, 388, 393, 525.
- Bill** to vacate the village plat of the village of Bloomingrove, in the county of Berrien, 394, 530, 548, 546, 638, 639, 656, 659.
- Bill** to revive and continue in force an act entitled an act to incorporate the Peninsular mutual fire and marine insurance company, approved March 12, 1844, under the name and style of the Detroit fire and marine insurance company, 395, 396, 427, 610, 614, 629, 633.
- Bill** to authorize the county treasurer of the county of Oakland to receive moneys for school and university lands, 401, 459.
- Bill** to authorize Nancy Maria Sliker and others, minors, to convey certain real estate, 407, 445, 446, 481, 504, 517.
- Bill** to amend an act to incorporate the Dexter and Michigan plank road company, approved April 3, 1848, 408, 548, 551, 556, 588, 590, 602, 619.
- Bill** for the dissolution of a certain school district in the county of Oakland, 410, 575, 583, 587, 600, 638, 639, 647, 659.

- **Bill** to provide for the sale of university lands in the county of Berrien, 416, 445, 446, 481, 504, 517.
- Bill** to provide for the draining of low lands in the town of Lansing, and for other purposes, 416, 584, 585.
- Bill** to regulate the carrying of baggage by railroad companies, 418, 427, 535, 554, 555, 675, 710.
- Bill** to incorporate the Battle Creek and Hasting plank road company, 418, 427, 584, 609.
- Bill** to incorporate the Jackson and Mason plank road company, 418, 426, 584, 585, 610.
- Bill** to provide for draining certain low lands in the city of Detroit, 419, 425, 483, 488, 620, 622, 647, 659.
- Bill** appropriating certain non-resident highway taxes for the improvement of the road leading from Hillman's Grove House, in the county of Livingston, to the village of Pontiac, in the county of Oakland, 419, 437.
- Bill** to provide for improving Grand river in the township of Lansing, as a public highway, 419, 425, 457, 458, 475, 519, 520, 528.
- Bill** relative to the support of the poor in the several counties of this state, 427, 554, 585, 587, 609.
- Bill** to provide for laying out and establishing a certain state road in the counties of Oakland and Lapeer, 427, 584, 585.
- Bill** to provide for the service of writings, processes and notices in certain cases, upon persons in the employ of certain corporate companies, 428, 542, 546, 621, 623, 637, 645.
- Bill** to authorize the minor heirs of the late Jesse Tuttle, deceased, to convey certain real estate, 428, 429, 459, 596, 608.
- Bill** to authorize Linus Jacox to convey certain real estate, 428, 429, 459.
- Bill** supplementary to the charter of the Detroit, Romeo and Port Huron railroad company, and amendments thereto, 428, 429, 535, 624, 628, 654.
- Bill** to amend an act approved March 19, 1838, vacating a portion of the village plat of Otsego, 430, 439, 565, 571, 582, 638, 639, 653, 659.
- Bill** taxing bachelors for the relief of indigent widows and orphans, 430, 494, 534, 586.
- Bill** to provide for laying out a state road from Ohio north to the village of Hudson, 437, 508, 510, 620, 622, 689, 697.
- Bill** to vacate the seat of justice of Shiawassee county, and for other purposes, 439, 531.
- Bill** to amend an act entitled an act to incorporate the Jackson and Michigan plank road company, 440, 611, 614, 619, 633, 673, 699, 709.
- Bill** to require county treasurers to cancel and adjust certain sales of lands for taxes, 440, 611, 614, 619, 633, 698.
- Bill** to extend the corporate limits of the village of Kalamazoo, 440, 441, 504, 611, 612, 626.
- Bill** authorizing the librarian to cause to be bound the illustrated dramatic works of Shakespeare, and for other purposes, 441, 493, 594, 609, 638, 639, 656, 659.



- Bill** to legalize notices given in pursuance of stipulations in the sale of real estate and other property, 441, 478.
- Bill** to amend an act entitled an act to amend an act to authorize the supervisors of the county of Kent, to construct a canal and locks around the rapids of Grand river, at Grand Rapids, approved February 20, 1847, and the acts amendatory thereto, approved January 29, 1848, and March 28, 1848, approved January 25, 1849, 442, 449, 505, 506, 671, 673, 703, 708.
- Bill** to authorize Esther Tushill to convey certain real estate, 442, 460, 462, 475, 519, 520, 531, 536.
- Bill** for the relief of the purchasers of certain lands in the township of Plainfield, 449, 608.
- Bill** to change the name of the village of Groveland, in the county of Jackson, to that of Parma, 449, 475, 519, 520, 523.
- Bill** to amend an act entitled an act to extend the time for the collection of taxes in the township of Byron, in the county of Shiawassee, 455, 456, 475, 518.
- Bill** to authorize township boards to raise money in certain cases, to defray township expenses, 456, 480, 611, 613, 633.
- Bill** to authorize William Buntin, to convey certain real estate, 459, 611, 614, 619, 633.
- Bill** to define and regulate the period of labor, 458, 611.
- Bill** to authorize the auditor general and county treasurers to collect charges for certain services, 460, 611, 612.
- Bill** to establish the boundary line between the townships of Ash and Frenchtown, 460, 611, 614, 619, 633.
- Bill** to amend an act appropriating certain internal improvement lands for the benefit of the Holland colony, and other immigrants now settling in the counties of Ottawa and Allegan, 462, 478, 644, 690, 694, 701, 715, 716, 722, 724.
- Bill** to discontinue a certain road in the township of Athens, county of Calhoun, and for other purposes, 473, 492, 611, 614, 619, 633, 715, 716, 722, 723.
- Bill** to vacate the plat of the village of the Lake, in the county of Washtenaw, 478, 593, 609, 672, 689, 697.
- Bill** to incorporate the Northwestern health insurance company, 480, 481, 503, 611, 613, 633.
- Bill** to authorize Joseph McNamee, of the county of Livingston, to convey certain real estate, 481, 482, 503.
- Bill** to authorize the mayor, recorder and aldermen of the city of Detroit to raise an amount of money by tax, 483, 492, 603, 654, 675, 709, 710.
- Bill** to incorporate the Ray and Almont plank road company, 483, 504, 545, 547, 572, 573, 587, 602.
- Bill** authorizing township clerks to subscribe for certain newspapers, 487, 517, 653, 654.
- Bill** to authorize Eunice James, widow of Solomon James, to sell certain real estate, 487, 503, 595, 607, 608, 661, 662, 678, 697.
- Bill** to amend an act entitled an act to incorporate the city of Monroe, and certain acts amendatory thereto, 493, 499, 517, 593, 610, 646, 647, 657, 659.

- Bill to vacate a part of the corporate limits of the village of Grand Rapids, in the county of Kent, 493, 611, 614, 619, 633, 682, 699, 708.
- Bill to incorporate the Lake Michigan and Terre Coupee plank road company, 538, 595, 609, 672, 699, 708.
- Bill to repeal an act to authorize the erection of a toll gate, and for keeping in repair the Detroit and Saginaw road and for other purposes, 509, 517, 595, 608, 671, 673, 699, 708.
- Bill appropriating certain non-resident taxes for the improvement of a road from Howell to Pontiac, 509, 550, 648, 666, 668, 674, 709, 710, 711, 723.
- Bill relative to the admission of attorneys, counsellors and solicitors, 509, 575, 516, 627, 683, 671, 674, 689.
- Bill to authorize townships to determine the compensation of certain township officers, 510, 517.
- Bill to incorporate the Trenton and Ypsilanti plank road company, 514, 546, 547, 572, 573, 587, 602.
- Bill to amend chapter ninety-three of the revised statutes of 1846, 515, 577, 582.
- Bill appropriating certain non-resident highway taxes for the improvement of the Pontiac and Grand river road, 519, 549, 629, 632.
- Bill to incorporate the Marshall and Constantine railroad company, 530, 715.
- Bill authorizing an appropriation to aid in the construction of a bridge across Grand river, at Portland, in the county of Ionia, 521, 531, 637, 668, 677.
- Bill to refer to the electors of the county of Berrien the question of removing the county site to the village of Niles, 528, 654, 696.
- Bill making appropriations for the salaries of the state officers for the year 1849, 528, 639, 642, 647, 648, 715, 717, 722, 724.
- Bill to amend an act entitled an act to authorize the governor to issue patents in certain cases, approved April 28, 1846, 529, 577, 582, 603, 610, 620.
- Bill to authorize the board of supervisors of Shiawassee county, to raise money to erect county buildings, 531, 535, 546.
- Bill to amend section thirty-six of chapter fourteen of the revised statutes of 1846, 535, 667, 668, 674, 709.
- Bill to suppress monopolies, and to repeal obnoxious laws, 535, 564, 575, 593, 604, 617, 629.
- Bill making appropriations for a certain bridge in the town of Lansing, 536, 667, 669, 676, 684.
- Bill to incorporate the St. Clair plank road company, 537, 549, 653, 654, 675.
- Bill to incorporate the Saginaw and Grand river canal company, 537, 549, 627, 633.
- Bill for the improvement of Flat river, 538, 549, 669, 677.
- Bill to create a state board of equalization, and to apportion the state tax among the several counties of the state, 538, 571, 618, 667, 670, 688, 690, 696, 712.

- Bill** to incorporate the village of St. Mary, 538, 549, 666, 668, 675, 709, 710, 721.
- Bill** to amend an act entitled an act to amend the revised statutes of 1846, concerning the assessment and collection of taxes, approved March 17, 1847, 538, 546, 682, 683, 716, 722, 723.
- Bill** to amend act number sixty-eight of the session laws of 1837, and act number eighty-nine of the session laws of 1842, 550, 666, 668, 675.
- Bill** to provide for the election of a board of state auditors, 555, 601.
- Bill** to incorporate the Galesburg and Grand Rapids plank road company, 555, 604, 609, 672, 673, 689, 697.
- Bill** to provide for the support and maintenance of the state prison at Jackson, and for the completion of the main building thereof, 563, 571, 625, 643, 648.
- Bill** to provide for laying out a state road from the township of Ingham, in the county of Ingham, to the village of Dexter, in Washtenaw county, 425, 565, 671, 672, 699, 708.
- Bill** to lay out a certain state road, 565, 571, 666, 668, 675, 709, 710, 721, 723.
- Bill** to vacate certain village plats and portions of plats in the counties of Calhoun, Ingham and Ottawa, 566.
- Bill** to provide for the appointment of a county judge for Ingham county, 568, 573, 576, 578, 581.
- Bill** to amend chapter twenty of the revised statutes, 573, 615, 664.
- Bill** to provide for settling the damages occasioned by the erection of dams for mills, when the waters thereof overflow adjacent lands, 573, 599.
- Bill** to consolidate the laws in relation to county courts, and for other purposes, 573, 617, 627, 648, 649, 671, 673, 698.
- Bill** to amend section forty-six of chapter thirty of the revised statutes of 1846, 586, 627, 629, 637, 648.
- Bill** to incorporate the Oakland female seminary, 586, 609, 646, 647, 657, 659.
- Bill** to amend an act entitled an act to extend the time for the collection of taxes in the township of Bellevue, in the county of Eaton, approved January 16, 1849, 587, 588, 609.
- Bill** to incorporate the Farmers' and Merchants' bank of Ann Arbor, 589, 590, 610, 633, 642.
- Bill** giving the circuit courts jurisdiction in actions of ejectment, 589, 590, 617, 667, 675.
- Bill** to amend an act entitled an act to incorporate the village of Tecumseh, 589, 590, 600, 667, 668, 675.
- Bill** to amend sections eighteen, twenty, twenty-four and twenty-eight of title nine; chapter forty of the revised statutes, 589, 590, 600, 667, 668, 675.
- Bill** to amend an act entitled an act to incorporate the Jackson mining company of Jackson, 589, 590, 600, 643.
- Bill** to amend chapter seven, title two of the revised statutes, 589, 590, 600, 667, 668, 675.
- Bill** for the vacation of certain streets and an alley in the village of

- Byron, in the county of Shiawassee, 589, 591, 600, 666, 667, 675.
- Bill to vacate a portion of the map or plat of the town of Lyons, in the county of Ionia, 589, 591, 599, 604, 608.
- Bill to incorporate the Monroe and Flat Rock plank road company, 589, 590, 600, 667, 668, 675.
- Bill to incorporate the Peninsula eclectic medical college of Detroit, 589, 590, 600, 667, 668.
- Bill to amend an act entitled an act to incorporate the Detroit and Utica plank road company, 589, 590, 600, 667, 668, 675.
- Bill to authorize Mary Ann Miller to convey certain real estate, 589, 591, 600, 666, 668.
- Bill to create a road fund for the benefit of the German colonists in Saginaw county, and to authorize the appointment of commissioners to expend the same, 590, 601, 667, 675.
- Bill to authorize Lozina Willson, widow of Daniel Wilson, to sell certain real estate, 593, 608, 661, 662, 670, 681.
- Bill to authorize Charlotte Pratt, widow of John W. Prat, deceased, to convey certain real estate, 594, 600, 607, 608, 661, 662, 670, 681.
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